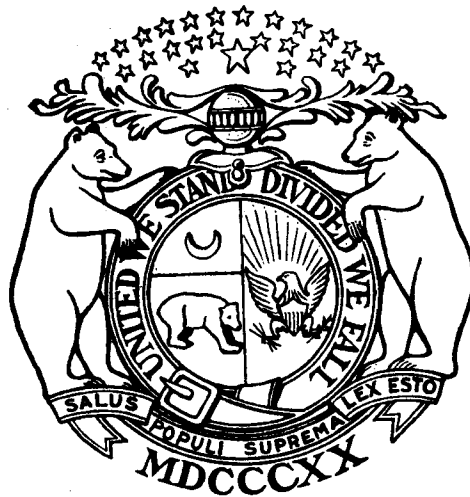


**A SUMMARY OF LEGISLATION
TRULY AGREED TO AND FINALLY PASSED**

**by the
79th General Assembly**



1978

**Prepared by
Divisions of Research and Administration**

in the

MISSOURI SENATE

MISSOURI



SENATE

JEFFERSON CITY

NORMAN L. MERRELL
STATE SENATOR
18TH DISTRICT
MONTICELLO
MISSOURI 63457

PRESIDENT PRO TEM
79TH GENERAL ASSEMBLY

TO THE PEOPLE OF MISSOURI:

In early 1978, the Missouri Senate issued two bulletins which summarized all bills introduced by senators in the Seventy-ninth General Assembly, Second Regular Session. That session of the legislature concluded on April 30. During its four month session, the legislature passed one hundred and sixty bills and five joint resolutions. The latter will be submitted to a vote of the people, in the form of proposed constitutional amendments, in either August or November of this year.

This publication provides a summary of the legislation enacted this year by the General Assembly. As with the earlier bulletins, it is being distributed to every public library in Missouri. The members of the Senate believe that this is one method to help the people remain abreast with their government and with legislative action that impacts upon their lives.

A topical index to Truly Agreed To and Finally Passed legislation is contained at the back of the bulletin. The majority of bills passed by the General Assembly still await final action by the Governor. Notation is made, however, of all bills that were either approved or vetoed by the Governor as of April 30. Unless otherwise indicated in the bill summaries, all legislation enacted and approved by the Governor becomes effective on August 13, 1978.

Hopefully, these publications have and will continue to prove useful for you. And again, I solicit your suggestions about how such information can best be made available to Missouri's citizens.

Sincerely,

A handwritten signature in cursive script that reads "Norman Merrell". Below the signature, the name "Norman Merrell" is printed in a simple, sans-serif font.

Norman Merrell

"The Welfare of the People Shall Be the Supreme Law"

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Legend of Legislative Abbreviations

SB — ***Senate Bill***
HB — ***House Bill***
SCS — ***Senate Committee Substitute***
HCS — ***House Committee Substitute***
CCS — ***Conference Committee Substitute***

SJR — ***Senate Joint Resolution***
HJR — ***House Joint Resolution***
SS — ***Senate Substitute***
HS — ***House Substitute***
SRB — ***Senate Revision Bill***

SENATE BILLS AND JOINT RESOLUTIONS

Truly Agreed To and Finally Passed

SENATE BILLS

SB 490 — Relating to levying of sales tax and tax collection brackets

Repeals sections 94.510 and 144.285, RSMo Supp. 1977 and section 66.600 of Senate Substitute for House Bill 1642 of the Second Regular Session of the Seventy-ninth General Assembly and enacts in lieu thereof three new sections.

This bill will provide for cities to adopt by a vote of the people a 7/8 percent city sales tax. Further, new sales tax collection brackets are established for the sales tax rates of 3 1/8 percent, 3 5/8 percent, 4 percent, 4 1/8 percent and 4 5/8 percent. The bill has an effective date of December 31, 1978.

SB 492 — Relating to payments for eligible persons in nursing homes and boarding homes and other public assistance programs

Repeals section 208.152, RSMo 1977, section 208.030 of HB 197, Seventy-eighth General Assembly and section 208.030 of SB 99, Seventy-eighth General Assembly and enacts in lieu thereof two new sections.

State payments to eligible recipients in licensed practical and domiciliary nursing homes will be increased respectively from \$200 and \$150 per month to \$300 and \$225 per month. The legislation also provides a \$120 monthly payment to licensed boarding homes for each eligible resident. The monthly blind pension payment is increased from \$135 to \$160. Contradictory language contained in two bills passed in 1975 relating to section 208.030 is eliminated.

In the state's medicaid program, home health care services are extended to individuals of twenty-one years or over. Skilled and ICF nursing home benefits are extended to cover two days per calendar quarter for residents of nursing homes or hospitals for approved temporary leaves of absence. The legislation has an effective date of July 1, 1979.

Signed by the Governor.

SB 497 — Relating to insurance benefits for certain employees, officials and judges of the state

Repeals section 104.310, RSMo 1975, and section 104.515, RSMo 1977, and enacts in lieu thereof two new sections.

In addition to its current monthly payment of \$12, the state will contribute a monthly payment not to exceed \$11.65 to fund hospital, surgical, medical and life insurance for members of the Missouri State Employees Retirement System, the judicial retirement system, legislators, and officials holding statewide elective office. Medical insurance premiums for employees' dependents would continue to be paid by the employees. The legislation also covers members of the Public School Retirement System who are employed by state agencies other than institutions of higher education. The benefits could also apply to members of the Highway Employees' and Highway Patrol Retirement System.

The age limit for unemancipated children of employees

covered by the state medical insurance plan is raised from twenty-one to twenty-three. Furthermore, included in the bill are comparable benefits for employees who rely solely on spiritual means through prayer for healing. The legislation has an effective date of January 1, 1979.

Signed by the Governor.

SB 499 — Relates to purchasing revenue bonds for water pollution control purposes

This bill authorizes the borrowing of an additional twenty-eight million dollars on the credit of the state for the purpose of water pollution control.

SB 503 — Grain warehouse inspection

Repeals section 411.150, RSMo 1969 and enacts in lieu thereof two new sections.

The bill provides that all fees charged for grain inspection and weighing division services are to be deposited into the "Grain Inspection Fee Fund," which is herein established. The General Assembly is authorized to transfer five hundred thousand dollars into the fund until it becomes self-sustaining, which amount shall be repaid by the Department of Agriculture not later than fifteen months after its transfer. Money expended from the fund shall be used for salaries and expenses. The act contains an emergency clause.

Signed by the Governor.

SCS/SB 505 — Relating to outpatient hospital medicaid benefits

Repeals section 208.152, RSMo 1977 and enacts in lieu thereof three new sections.

The legislation affects medicaid benefit payments to cover outpatient hospital services for eligible recipients. Such payment will apply to all outpatient hospital services, including diagnostic services, which are approved as being medically necessary by a hospital utilization review committee or a professional standard review organization. Payments will be made in amounts representing no more than eighty percent of the lesser of reasonable or customary charges for such services as defined by parts A and B of the medicare act. The Division of Family Services shall evaluate outpatient hospital services and deny payment for services which it determines to be medically unnecessary. The bill has an effective date of July 1, 1979.

SB 506 — Relates to the number of judges on the Kansas City District Court of Appeals

This act increases by three the number of judges on the Kansas City District of the Missouri Court of Appeals. This

would bring the total number to ten. The new judges will be added on January 1, 1979.

HCS/SCS/SB 508 — Relates to compensation and benefits of certain police officers

Repeals section 84.420, RSMo 1969 and sections 84.140, 84.150, 84.160 and 84.510, RSMo Supp. 1977 and enacts in lieu thereof five new sections.

The bill relates to the compensation and employment benefits of police officers in St. Louis and Kansas City. The St. Louis police force will receive fourteen holidays with pay and additional days off duty each year with pay under the provisions of this bill. Additional officers are authorized for the St. Louis force and the compensation for all members of the force, ranking and nonranking, is increased. The bill stipulates that certain personnel shall receive additional compensation for overtime, court time and court standby time accumulated after May 1, 1977. Another provision provides that in lieu of compensatory time off or payments for overtime, all commissioned officers of the rank of sergeant and above shall receive an additional eight percent compensation, including the chief of police (St. Louis). The bill mandates the board of police commissioners to pay additional compensation to personnel up to and including the rank of police officer for any full hour worked between 11:00 p.m. and 7:00 a.m.

The Kansas City Police Board is given the discretionary power to increase the maximum salaries provided by law at a rate of not more than five percent per annum commencing September 1, 1976 but not to exceed twenty percent of the maximum. In addition, the bill allows uniformed officers to receive twenty-five dollars per month uniform maintenance allowance. The Kansas City board may effect programs to provide for successful completion of academic work at an accredited college. The bill contains an emergency clause.

Signed by the Governor.

SB 509 — Relating to safe drinking water

Repeals sections 192.180, 192.190, 192.200, 192.220 and 192.320, RSMo 1969 and enacts in lieu thereof ten new sections.

The act authorizes the Department of Natural Resources to supervise the quality of drinking water dispensed by the state's public water systems. The department may require water suppliers to conduct tests of water, report the results, and maintain adequate records of those tests. The department must approve all major modifications and all new construction of public water systems. The bill establishes a safe drinking water advisory committee, composed of water suppliers, engineers and the general public, to assist the department in the promulgation of rules and regulations. Rules promulgated pursuant to this act shall expire thirty months after the effective date of the rule unless the General Assembly, by concurrent resolution, approves the rule. It also establishes a safe drinking water fund from monies paid in fees, appropriations and grants. The bill contains penalty provisions and will expire January 1, 1982.

SB 542 — Relates to Teachers and Public School Employees Retirement systems in districts over 700,000 population (St. Louis City)

Repeals sections 169.410, 169.420, 169.450, 169.490 and 169.560, RSMo 1969, sections 169.440 and 169.460, RSMo Supp. 1975 and section 169.070, RSMo Supp. 1977 and enacts

in lieu thereof eight new sections.

Makes certain changes in calculating benefits for those members who had not chosen to make retroactive payments into the retirement system for the period July 1, 1957 to July 1, 1967. Members who rendered service in a public school district in Missouri outside this district (St. Louis City) or outside the State of Missouri may elect to purchase and receive credit for such service by complying with certain conditions and limitations. Such member must have at least five years of continuous creditable membership service in this system prior to the election to purchase. Such election must be made on or before December 31, 1980.

The Board of Trustees may establish regulations, methods and factors which may be needed for calculation of the primary social security benefit and may amend such regulations, methods and factors from time to time as may be necessary.

Changes are made in calculating retirement benefits for a member who has attained the minimum retirement age of 65, and for members who are under 65, but at least age 60 or 55 with thirty or more years creditable service.

Additional options are provided for benefits payable to the member in the event that he had chosen reduced benefits while living so that his beneficiary will receive benefits after the member's death. Those options provide for larger benefits for members in the event the beneficiary predeceases the member.

The act reduces the required creditable service period for certain payments on the death of the member before retirement from 30 to 5 or more years. Also, a retired educational secretary currently receiving a retirement allowance other than for disability may serve as a part-time temporary substitute educational secretary not to exceed 360 hours in any one school year. The retirement allowance of such a retired employee shall not be reduced or discontinued. Such retired employees shall not be required to contribute to the retirement system because of such employment.

SB 547 — Relating to real estate license fees

Repeals sections 339.060 and 339.090, RSMo 1969 and enacts in lieu thereof two new sections.

The annual fee for a real estate broker's license shall be ten dollars and that of a salesman's license shall be five dollars. The real estate commission may establish by regulation for the licensure of nonresidents.

SB 581 — Relating to the Missouri-St. Louis Metropolitan Airport Authority

Repeals section 305.510, RSMo Supp. 1976 and enacts in lieu thereof one new section.

This bill changes the expiration date of the Missouri-St. Louis Metropolitan Airport Authority from December 31, 1978 to December 31, 1980.

SCS/SB 582 — Relates to election procedures

Repeals sections 115.129, 115.467, 115.471 and 115.473, RSMo Supp. 1977 and enacts in lieu thereof six new sections.

This bill allows the notice of election in any county to state whether the election is national, state, county, municipal,

special purpose district or special election in lieu of stating the agency calling the election, provided that the notice also contains other delineated information. The bill allows election authorities, in electronic voting system jurisdictions that use ballot cards as absentee ballots, to prepare the absentee ballot envelopes as they are received for processing on the day of election or on the day preceeding the election. The authorities must give notice to the county chairman of each major political party forty-eight hours prior to beginning preparation of absentee ballot envelopes. The envelopes are to be prepared by election authority employee teams, with each team consisting of one member from each major political party. The bill gives election authorities the discretion to verify and tally write-in votes at the counting center by teams of election authority employees in lieu of verification and tallying at the polling place.

SB 594 — Relates to optional forms of government for third class cities

Repeals sections 78.230 and 78.450, RSMo 1969 and enacts in lieu thereof two new sections.

Any third class city which has operated under a commission form of government or a city manager form of government for six years or more may abandon such form of government upon the petition of not less than 10% (formerly 25%) of the voters casting votes for Governor in the last preceding general election. Such change must be approved by a majority of those voting in a special election.

SB 596 — Relating to property value allowable to recipients of public assistance

Repeals section 208.010, RSMo 1975 and enacts in lieu thereof one new section.

The bill raises the maximum value of property which can be owned or possessed by applicants in order to qualify for public assistance from \$10,500 to \$20,500.

SB 622 — Relating to compensation of deputies of jury commissioners in certain cities

Repeals section 498.100, RSMo Supp. 1975 and enacts in lieu thereof one new section.

This bill raises the compensation of deputies of jury commissioners as follows:

Until April 30, 1979, each deputy regularly employed throughout the year shall receive a salary not to exceed nine thousand three hundred dollars per year. The salary of the chief deputy will not exceed eleven thousand seven hundred seventy dollars per year. Each deputy employed on a temporary basis shall receive twenty dollars for each day he is actually performing his duties. These salaries are subject to approval of the board of estimate and apportionment upon recommendation of the circuit court judges meeting en banc. Beginning April 30, 1979, each employee regularly employed throughout the year will receive a job classification and salary comparable to employees in similar positions under the merit system of St. Louis City. Subsequent increases in salary will conform to the merit system.

Signed by the Governor.

SB 623 — Relating to compensation of jury commissioners

Repeals section 497.070, RSMo 1969 and section 498.080, RSMo Supp. 1975 and enacts in lieu thereof two new sections.

The Jackson County Board of Jury Commissioners shall determine the salary of the Jury Commissioner and such salary shall not be less than \$15,000. The current statutory salary level is \$6,600 per year. The salary is to be paid by the county in which the judicial circuit is located. The Jury Commissioner of St. Louis City shall receive a salary of \$20,000 per year. The present salary is \$17,000.

SB 624 — Relating to advertising by physicians

Repeals section 334.100, RSMo 1975 and enacts in lieu thereof one new section.

The legislation repeals the total ban against solicitation by physicians or their agents. The State Board of the Healing Arts, however, may refuse to license physicians who advertise in such a manner as to confuse or mislead the public regarding the need for or appropriateness of health care services or the qualifications of individual persons to diagnose or render health care services.

The Board may also refuse to license physicians who knowingly make or cause to be made false statements or representations, with intent to defraud, for medicare or medicaid payments.

SB 625 — Relating to advertising by dentists and dental hygienists

Repeals section 332.321 and 332.331, RSMo 1969 and enacts in lieu thereof two new sections.

The legislation repeals the ban against advertising prices for services to be rendered by dentists and dental hygienists. The current ban against any advertising to solicit patients by dentists is repealed. The Missouri Board of Dentistry may refuse to license dentists who advertise in such a manner as to confuse or mislead the public regarding the need for or appropriateness of dental services or the qualifications of individual persons to diagnose or render dental services.

HCS/SS/SB 628 — Relating to fire protection districts

Repeals sections 321.010, 321.020, 321.030, 321.070, 321.150, 321.180, 321.250, 321.270, 321.360, 321.390, 321.470 and 321.600, RSMo 1969 and section 321.310, RSMo Supp. 1975 and sections 321.120 and 321.220, RSMo Supp. 1977 and enacts in lieu thereof fifteen new sections.

The bill expands the definition of fire protection districts so that such districts may contain all or part of one or more counties. The district must consist of contiguous tracts or parcels of property. Notices requiring publication must appear in at least one newspaper in each county in which the district is located. The organization of a district shall be initiated by a petition signed by at least 100 taxpaying electors of the district. The petition shall be filed in the office of the clerk of the circuit court vested with jurisdiction in any county in which all or part of the real property in the proposed district is located. Any person holding any lucrative office or employment with this state or any political subdivision thereof is prohibited from holding office as fire protection district director. Any fire

protection district director who accepts any office or employment with the state or a political subdivision shall vacate the director's office. This section shall not apply to members of the organized militia, reserve corps and notaries public. Lucrative office does not include receiving retirement benefits for service rendered to a fire protection district, the state or any political subdivision thereof. Provisions for incorporating such districts and for levying taxes within each county in which all or part of a district lies are included.

SB 632 — Relates to number of judges and divisions in the 21st judicial circuit

Repeals section 478.450, RSMo 1969 and section 478.437, RSMo Supp. 1975, and enacts two new sections in lieu thereof.

This bill increases the number of divisions and judges in the 21st judicial circuit of Missouri from the current 17 to 19. This circuit is comprised entirely of St. Louis County. The bill has an effective date of January 1, 1979.

Signed by the Governor.

HCS/SB 651 — Rights of mental patients, procedure for commitment

Repeals sections 202.010, 202.070, 202.595, 202.601, 202.651, 202.783, 202.787, 202.797, 202.800, 202.803, 202.805, 202.810, 202.817, 202.820, 202.823, 202.827, 202.830, 202.833, 202.837, 202.840 and 202.847, RSMo 1969 and sections 202.790, 202.807, 202.813, 202.831, 202.850, 202.857 and 202.870 RSMo 1975 and enacts in lieu thereof forty-six new sections.

The legislation is a comprehensive revision of state statutes defining mental disorders, associated conditions and treatment procedures, and governing the commitment and treatment of patients in mental illness and retardation facilities.

Involuntary commitment of an individual suspected of suffering from mental illness and appearing likely of inflicting serious physical harm to himself or others can be initiated, through the court of probate jurisdiction, by any adult person. A peace officer is given the authority, on his own initiative, to transport such persons to mental health facilities for evaluation and treatment during a period not to exceed ninety-six hours. Persons who are mentally retarded, developmentally disabled, senile or suffering from alcoholism or drug abuse shall not be committed judicially unless they are also mentally ill and present the likelihood of physical harm.

Successive commitment periods of fourteen days, ninety days and one year can be ordered by the court for involuntary patients. Such extensions following fourteen days must be preceded by hearings during which the rules of evidence must be followed and the patient has the right to representation by attorney. If one year commitments are authorized, the facility must examine the patient every 180 days and report its findings to the committing court.

The confidentiality of patients' records is strengthened by the bill. Furthermore, provisions are made for strengthening the rights of patients in mental illness and retardation facilities. Patients are allowed to wear their own clothes, spend a reasonable amount of their own money, communicate by sealed mail, receive visitors, have access to a telephone, and receive a well-balanced diet and the opportunity for recreation.

All patients in mental health and retardation facilities have the right to refuse electroshock treatment. Involuntary

electroshock can only be administered after a court order which must be preceded by a hearing. Upon the findings of at least two licensed physicians that electroshock is needed to prevent a patient's death within forty-eight hours, the treatment may be administered without court order.

Signed by the Governor.

SB 652 — Relating to community mental health centers

Repeals sections 205.975 through 205.987, RSMo 1969 and enacts in lieu thereof sixteen new sections.

A community mental health center is defined as a legal entity through which comprehensive mental health services are provided to individuals residing in a certain catchment area. The Department of Mental Health will establish catchment areas. Any county geographically associated with a catchment area may, with approval of the majority of qualified voters, levy a tax not to exceed thirty cents per each one hundred dollars assessed valuation. The tax revenue would be used to establish and operate community mental health centers or clinics, supplement funds for existing facilities, or purchase mental health services from such facilities or not-for-profit corporations. The governing body of any county may contract for community mental health services with monies appropriated from the county's general revenue fund. Such sums shall not exceed the amount of revenue which could be derived from the tax levy.

Governing bodies of counties within a catchment area may enter into contractual agreements with one another to provide various mental health services. Each catchment area would be governed by a board of trustees of at least nine members, one-half of whom not being providers of health care.

Any entity seeking to provide community mental health services would be governed by standards established by the Department of Mental Health. No person would be denied the services offered by community mental health centers, mental health clinics, or other county sponsored facilities because of inability to pay for those services.

SB 653 — Relating to qualifications and responsibilities of administrators in the Department of Mental Health

Repeals sections 202.050 and 202.051, RSMo 1969, and section 202.040, RSMo 1975, and enacts in lieu thereof three new sections.

The directors of the three major divisions of the Department of Mental Health shall appoint a superintendent for each major facility under the control of their respective divisions. The superintendents will no longer be required to be skilled in the practice of medicine and treatment of mental diseases. Rather, a superintendent must possess either a master's degree in health care administration or a related field with experience, or a master's degree in a clinical area with administrative experience in a mental health or retardation facility, or be a licensed physician with ability or training in the programs offered by the department. Each major facility of the three divisions must also have a chief of medical staff who shall be a licensed physician.

Each superintendent of these facilities may employ, appoint and discharge employees subject to the approval of the department director and the state merit system law. The same authority governing employees may be delegated by the

department director to the heads of other major facilities of the department.

Signed by the Governor.

SB 657 — Relates to membership in development finance corporations

Repeals section 371.120 and 371.250, RSMo 1969 and enacts in lieu thereof two new sections.

This bill would expand from current law the types of institutions which may be members of a "Development Finance Corporation" and delegates to the relevant regulatory or controlling body of such institutions the authority to establish membership loan limits. Further, provisions are established requiring member institutions to deduct their membership loan commitment from their legal loan limit, but the members are specifically permitted to enter into separate nonmembership loans at different rates of interest. Also, the bonds and securities of a development finance corporation are exempt from the Missouri Uniform Securities Act.

Signed by the Governor.

SB 661 — Administrative Hearing Commission

Repeals sections 138.430, 144.220 and twenty-eight others, RSMo 1969, sections 142.080, 142.442 and twenty-one others, RSMo Supp. 1975 and section 161.252, RSMo 1977 and enacts in lieu thereof sixty-three new sections.

The bill permits tax appeals, appeals of licensing decisions within the Department of Revenue, the Division of Health, the Department of Mental Health, the Supervisor of Liquor Control, and appeals of administrative rule making to the Administrative Hearing Commission.

The Administrative Hearing Commission shall make findings of fact, and conclusions of law. Cases before the Administrative Hearing Commission shall not be considered contested cases. Decisions by the Administrative Hearing Commission shall be binding subject to an appeal. The Administrative Hearing Commission shall promulgate rules of procedures applicable to the major classes of appeals — licensing appeals, tax appeals, and appeals of agency rules and regulations.

Each Administrative Hearing Commissioner must annually submit a report to the General Assembly establishing the caseload increase resulting from this act. The commissioners shall be paid eighty percent of the annual compensation paid to the Circuit Judge of Cole County. The act has an effective date of August, 1978.

SB 665 — Relating to statutes of limitations on certain mortgages

Amends Chapter 516, RSMo by inserting therein one new section.

The bill relates to the statutes of limitations on foreclosure of mortgages and deeds of trust, but applies only to those recorded after January 1, 1979. The new section stipulates that either the twenty year period beginning on the recited date of execution or the date of acknowledgment shall be used when the date of the last maturing obligation cannot be determined. If none of the above is known, the date of recording such instrument or the original date of secured obligation may be used under certain conditions.

SB 671 — Medical assistance benefits provided for the services of podiatrists

Repeals section 208.152, RSMo 1977 and enacts in lieu thereof one new section.

Medical assistance benefits covered by the state's medicaid program are extended to include services provided by podiatrists and drugs and medicines prescribed by podiatrists.

SB 683 — Relating to apiary inspection

Repeals sections 264.010, 264.020, 264.030, 264.040, 264.050 and 264.060, RSMo 1969 and enacts in lieu thereof eleven new sections.

The bill authorizes the State Department of Agriculture to inspect beehives for a fee. The director shall have free access to all apiaries. He may issue certificates of health or, where diseased bees have been found, order the bees quarantined. Quarantined bees that are not disease free after six months may be destroyed. Transporters of bees, combs or beekeeping equipment into the state must obtain a permit from the director.

SS/SB 685 — Relates to foreign ownership of agricultural lands

Repeals section 442.560, RSMo 1969, and enacts seven new sections in lieu thereof.

The act prohibits aliens and foreign businesses from purchasing or leasing on a long-term basis more than five acres of agricultural lands in the state. Any alien or foreign business that acquires an interest in agricultural lands in this state shall file a declaration of the intended use of the land with the Director of Agriculture within sixty days of the acquisition. Violators of the law shall be prosecuted by the Attorney General.

The law does not apply to agricultural lands acquired and used for nonagricultural purposes, nor does it apply to agricultural lands currently owned by aliens.

Signed by the Governor.

SB 690 — Relates to the regulation of certain agricultural vehicles

Repeals section 304.170, RSMo Supp. 1975 and enacts in lieu thereof one new section.

The bill excludes implements of husbandry (i.e. self-propelled machinery used exclusively for the application of plant food materials and agricultural chemicals) from the provisions of the statutes specifying the maximum size for vehicles using the highways. Also excluded is self-propelled hay-hauling equipment.

SB 691 — Public Service Commission - motor vehicle regulation

Repeals section 390.030, RSMo Supp. 1975 and enacts in lieu thereof one new section.

The bill adds motor vehicles used to transport cotton, cottonseed and cottonseed hulls to those vehicles which the Public Service Commission shall not regulate.

Signed by the Governor.

SB 700 — Relates to the duties and compensation of certain employees of certain circuit attorneys

Repeals section 56.540, RSMo Supp. 1975 and enacts in lieu thereof one new section.

The St. Louis City Circuit Attorney may appoint one chief investigator. The chief investigator's salary shall be not less than \$16,000 nor more than \$18,000 per year as the circuit attorney directs. Salary increases are as follows with previous salaries or salary limits in parenthesis:

First assistant circuit attorney - annual salary not to exceed \$25,000 (\$22,000);

One chief trial assistant - annual salary not to exceed \$25,000 (\$22,000);

One warrant officer - annual salary not to exceed \$25,000 (\$22,000);

All additional assistant circuit attorneys - annual salaries of not less than \$12,000 (\$11,000) nor more than \$24,500 (\$21,000) as the circuit attorney directs;

The chief clerk - annual salary not to exceed \$17,500 (\$15,000);

Five grand jury reporters - annual salary of each is not to exceed \$13,000 (\$11,000);

Additional clerks, stenographers and reporters - annual salary of each of not less than \$7,200 (\$5,000) nor more than \$11,000 (\$8,000);

Criminal legal investigators - annual salary of each of not less than \$9,000 (\$7,500) nor more than \$15,000 (\$11,000).

SB 703 — Relating to Harris-Stowe College

Repeals sections 162.171 and 178.410, RSMo 1969 and section 163.181, RSMo Supp. 1977 and enacts in lieu thereof five new sections.

Before October 17, 1978 the Governor shall appoint, with the advice and consent of the Senate, a six-member board of regents to assume control and management of Harris-Stowe College. Not more than three of the regents shall be affiliated with any one political party. The terms of the regents will be staggered so that expiration of terms will take place at two year intervals. The St. Louis Board of Education shall convey by gift, the buildings, facilities, equipment and the adjoining eight acres of realty located at 3026 Laclede Avenue, St. Louis. The transition period, during which the St. Louis Board of Education shall provide the necessary supporting services to Harris-Stowe College shall terminate no later than July 1, 1979. Thereafter the regents will be responsible for all aspects of the college's operation. Effective July 1, 1978, the state shall provide funds necessary to fully staff and operate the college, and to make appropriate capital improvements. Harris-Stowe will continue to be an undergraduate college with primary emphasis in elementary and urban education. Nothing in this act provides authority for Harris-Stowe to become a comprehensive liberal arts college. Persons employed by Harris-Stowe College prior to September 1, 1978 who are members of the Public School Retirement System of St. Louis City shall remain members of that system and the state shall pay required employer contributions. Persons employed as instructors, teachers or administrators of Harris-Stowe College after September 1, 1978 will be members of the Public School Retirement System of Missouri. Other persons employed after September 1, 1978 will be members of the Missouri State Employees' Retirement System.

SB 721 — Relates to the estimated cost of proposed rules by state departments

The bill requires that any state agency that promulgates rules which are expected to cost more than five hundred dollars in the aggregate must prepare a detailed estimate of the cost imposed by the rule. This requirement applies to rules affecting business enterprises, the political subdivisions as well as the state agency. The fiscal estimates shall be published in the Missouri Register.

Signed by the Governor

HCS/SB 727 — Relates to a preference election regarding the Meramec Dam

The bill provides for a preference election to be held in the Meramec basin on the Meramec Dam and Meramec Park Lake construction. For purposes of this bill, the Meramec basin is defined as the counties of Crawford, Washington, Franklin, Jefferson, St. Louis, Iron, Phelps, Dent, St. Francois, Maries, Gasconade and St. Charles, and the City of St. Louis. The question shall be submitted in the following form:

Shall the Meramec Dam and Meramec Park Lake be constructed?

☐ YES
☐ NO

This legislation contains an emergency clause.

Signed by the Governor.

SB 729 — Relating to the Springfield District Court of Appeals

This bill increases the number of judges on the Springfield District of the Missouri Court of Appeals from the current five to six. The change will take effect on July 1, 1979.

SRB 738 — Relates to annexation of certain unincorporated areas

Repeals sections 71.012 and 71.014, RSMo Supp. 1976 and section 71.014, RSMo Supp. 1975 and enacts in lieu thereof two new sections.

This is a revision of HB 1362, Second Regular Session of the 78th General Assembly, to correct a printer's error in a section number. The bill provides a method of annexation by municipalities of unincorporated contiguous areas. Excludes cities in St. Charles, Franklin and Jefferson Counties.

Signed by the Governor.

SRB 739 — Relates to the regulation of mobile home standards

Repeals sections 700.010, 700.015, 700.020, 700.025, 700.030, 700.035, 700.040, 700.045, 700.050, 700.055, 700.060, 700.065, 700.070, 700.075, 700.080 and 700.085, RSMo Supp. 1975 and RSMo Supp. 1976 and sections 700.021, 700.056, 700.076, 700.090, 700.100, 700.110 and 700.115, RSMo Supp. 1976 and enacts in lieu thereof twenty-one new sections.

This bill revises the current statute relating to mobile homes, recreational vehicles and modular units. Certain words are deleted or added, and the number of paragraphs and subsections has been changed. The majority of deletions occur in section 700.090, regarding manufacturer and dealer registration of such vehicles. It corrects errors in HB 1393 passed in 1976.

Signed by the Governor.

SRB 742 — Relates to the retirement system in certain public school districts

Repeals section 169.290, RSMo Supp. 1975 and enacts in lieu thereof one new section.

A revision of SB 159 (79th General Assembly) which repealed section 169.290, RSMo 1969, rather than 169.290, RSMo Supp. 1975. Permits employees in school district concerned (Kansas City) to transfer at their request from Plan A of retirement system to Plan B.

Signed by the Governor.

SRB 743 — Relating to the classification of counties

Repeals sections 48.020, RSMo 1969 and 48.030, RSMo Supp. 1975 and enacts in lieu thereof two new sections.

The bill is a revision of HCS for HB Nos. 38, 219 and 244, First Regular Session, 79th General Assembly to correct an error in the title and enacting clause. No change in previous revision of assessed valuations for various classes of counties.

Signed by the Governor.

SRB 744 — Relating to assessment plans for certain types of insurance

Repeals section 383.010, RSMo Supp. 1975 and enacts in lieu thereof one new section.

This act relates to assessment plans for medical malpractice insurance and general liability insurance. Senate Bill 245 of the 79th General Assembly erroneously attempted to repeal and reenact section 383.010, RSMo Supp. 1976; no such section existed. This bill repeals and reenacts 383.010, RSMo Supp. 1975 and incorporates the provisions of Senate Bill 245.

Signed by the Governor.

SRB 745 — Relating to consumer credit loans

Repeals section 367.100, RSMo 1969 and enacts in lieu thereof one new section.

The language of this bill was part of HB 48 passed in the 79th General Assembly, First Regular Session. The title of that bill was not broad enough to allow this section.

Signed by the Governor.

SRB 746 — Relating to credit unions

Repeals sections 370.220, RSMo 1969 and 370.107, RSMo Supp. 1975 and enacts in lieu thereof eighteen new sections.

The language of this bill was part of HB 48 passed in the 79th General Assembly, First Regular Session. The title of that bill was not broad enough to allow this section.

Signed by the Governor.

SRB 748 — Relating to the licensing of certain pesticide applicators

Repeals section 271.075, RSMo Supp. 1975 and enacts in lieu thereof one new section.

This section covers the licensing of non-residents for the application of restricted-use pesticides. The section was inadvertently deleted from HB 655, 79th General Assembly. The present bill will solve this omission.

Signed by the Governor.

SRB 749 — Relating to public drunkenness

Repeals section 562.260, RSMo 1969 and enacts in lieu thereof four new sections.

This is a technical bill to correct a defect in the title and enacting clause of HB 341 of the 79th General Assembly. The text of the bill, abolishing the crime of public drunkenness and providing procedures for the treatment of intoxicated persons, is exactly the same as the previous bill.

Signed by the Governor.

SB 752 — Relating to duties and compensation of certain sheriffs

Repeals section 57.407, RSMo 1969 and section 57.339, RSMo Supp. 1977 and enacts in lieu thereof three new sections.

An identification system for the identification of personal property is to be established by the sheriffs in certain counties and the sheriffs shall receive extra compensation for such additional duties as follows:

- (1) In all counties of the second class - \$4,800
- (2) St. Louis City sheriff - \$4,500
- (3) Third class counties increased based on population:

Less than 7,500	\$3,750
7,500 - 10,000	3,900
10,000 - 11,500	4,050
11,500 - 15,000	4,200
15,000 - 24,000	4,350
24,000 - 30,000	4,500
30,000 or more	4,500

- (4) Fourth class counties increased based on population:

Less than 7,500	\$2,250
7,500 - 10,000	2,400
10,000 - 11,500	2,550
11,500 - 13,000	2,700
13,000 - 15,000	2,850
15,000 or more	3,000

The total compensation of sheriffs of counties of the third class with an assessed valuation of less than twenty million dollars shall not exceed \$13,900 excluding mileage.

SB 755 — Relates to fees charged by the Secretary of State

Repeals sections 28.170, 351.115, 356.180, 357.030, 400.9-403, 440.9-404, 499.9-405, 400.9-406, 400.9-407, 506.240 and 506.340, RSMo 1969, and sections 109.230, 351.065 and 351.657, RSMo Supp. 1975 and 486.400, RSMo Supp. 1977 and enacts in lieu thereof sixteen new sections.

The act revises the fees to be paid to the Secretary of State for services rendered.

SB 761 — Relating to industrial development corporations

Amends Chapter 349, RSMo Supp. 1977 by adding one new section.

This bill provides that chapter 351, RSMo, the general and business corporation law of Missouri, will be applicable to the industrial development corporations organized under chapter 349, except in cases of conflicts between the two chapters, then chapter 349 provisions will take precedence.

SB 762 — Relates to the forfeiture of corporate rights

Repeals section 356.190, RSMo 1969 and enacts in lieu thereof one new section.

This bill relates to the forfeiture of a certificate of incorporation by a professional corporation. The bill makes two changes in the current law that are technical in nature. The first is a minor change and involves altering the word "section" in 356.190 to "chapter." The second alteration involves the powers removed by the action of the forfeiture. The old law stipulated that in the event of forfeiture, all powers conferred upon a corporation by its certificate shall, on failure to comply with the provisions of chapter 351, RSMo, with respect to registration, or the filing of anti-trust affidavits, cease. The cross reference regarding chapter 351 and the filing of anti-trust affidavits is incorrect. Senate Bill 762 corrects the language by removing reference to the filing of anti-trust affidavits.

Signed by the Governor.

SB 763 — Relates to salaries of personnel of the Highway Patrol

Repeals section 43.070, RSMo Supp. 1976 and enacts in lieu thereof one new section.

The bill increases the Highway Patrol superintendent salary from \$19,800 to \$21,600 and raises the statutory limits of all members of the Highway Patrol. The new salaries (fixed by the superintendent) shall not exceed \$19,500 for lieutenant colonel, \$18,600 for major, \$17,700 for captain and director of radio, \$16,800 for lieutenant and radio engineer, \$15,900 for sergeant, \$15,000 for corporal, \$14,400 for patrolmen first class and radio personnel, \$14,100 for patrolmen and \$13,800 for probationary patrolmen.

SB 765 — Relating to sudden infant death syndrome

The legislation deals with the determination of death of children who, when in apparent good health, die suddenly between the ages of one week and one year. If a coroner or medical examiner receives the informed consent of the child's parent or guardian, an autopsy shall be performed and the Division of Health will receive notification of the results. The term "sudden infant death syndrome" shall be entered on the death certificate as the principal cause of death where the term is appropriately descriptive of the circumstances surrounding death.

The Division of Health shall notify the parents or guardian of the child of the autopsy results and shall provide them with informational material on crib death. Within limits determined by rules and regulations, the Division shall reimburse respective counties for the costs of autopsies and transportation of bodies. The Division is authorized to receive grants for the administration and funding of the act and for research to determine the cause and prevention of sudden infant death syndrome. The legislation carries an emergency clause.

Signed by the Governor.

SB 769 — Relates to certain county officers

Repeals section 56.270, RSMo Supp. 1975 and enacts in lieu thereof two new sections.

This bill increases the compensation from \$22,500 to \$27,500 for prosecuting attorneys in the counties of Boone, Buchanan, Jefferson and Platte. The bill allows the county counselor in Clay County to employ special county counselors to represent

such county in prosecuting or defending any suit by or against the county or its officials. The employment must be approved by the governing body of the county. The special counselors shall have the same qualifications as the regular county counselors (Section 56.631).

SB 772 — Relating to the number of officers and personnel on the Highway Patrol

Repeals section 43.040, RSMo 1969 and section 43.050, RSMo Supp. 1975 and enacts in lieu thereof two new sections.

The law increases the statutory limit on the number of highway patrolmen from 800 to 900. The law provides that forty-six of these be supervisory personnel. It authorizes two additional majors, four additional captains, and eleven additional lieutenants. The bill has an effective date of July 1, 1979.

SB 774 — Relates to the inspection of voting machines

Repeals section 115.503, RSMo Supp. 1977 and enacts in lieu thereof one new section.

This bill stipulates that in an election in which voting machines are used, the verification board shall inspect each voting machine not equipped with printed election return mechanisms and record the votes cast on the machine. Where the voting machines used are equipped with printed election return mechanisms, the counter compartment shall not be opened and the original and duplicate originals of the printed return sheets of the votes cast, together with the tabulation and inclusion of candidates and questions not regularly nominated or who did not file, shall constitute the official return sheet, when properly certified by the precinct election officers. One copy of the return sheet is to be posted outside of the polling place and one copy is to be returned to the election authority and retained for at least a year. The bill contains an emergency clause.

Signed by the Governor.

HCS/SB 775 — Relating to increased compensation for certain county officials

Repeals sections 49.080, 51.280, 52.320, 53.072, 54.240, 55.090, 56.261, 57.310, 59.220, 483.082 and 483.285, RSMo Supp. 1975 and enacts in lieu thereof seventeen new sections.

This bill raises the compensation of county officials in first class counties as follows:

Counties without a charter form of government which have a population of 150,000 or over -

Presiding Judges - Co. Ct.	\$25,000
Associate Judges - Co. Ct.	20,000
Clerk of County Court	22,000
Collector of Revenue	22,000
County Assessor	22,000

5,500 for additional duty of submitting list of new assessments of any city partly or wholly in the county

County Treasurer	22,000
	8,500

for additional duty of preparing duplicate receipts of money received from federal government

Prosecuting Attorney	35,000
Recorder of Deeds	22,000

In all other counties of the first class without a charter form of government -

Presiding Judges - Co. Ct.	\$17,500	
Associate Judges - Co. Ct.	15,000	
Clerk of County Court	21,000	
County Assessor	21,000	
	4,500	for additional duty of submitting a list of new assessments of any city wholly or partly within the county

County Treasurer	18,000	
	4,500	for additional duties of preparing duplicate receipts of money received from federal government

Prosecuting Attorney	30,000
Recorder of Deeds	21,000

In all cities having more than 700,000 population, the recorder of deeds will receive an annual salary of \$18,000

Collector of Revenue - in those counties operating under the land tax collection law and having assessed valuation of \$500 million or more and when data processing and central computing operations are used, the collector of revenue shall receive a salary of not less than \$15,000 nor more than \$22,000.

Sheriffs - for additional duties of establishing a system of identification of personal property, sheriffs of class one counties without a charter form of government shall receive \$7,500. This provision expires on January 1, 1981.

Except in counties of the first class without a charter form of government and in first class counties with a charter form of government not containing a city of over 400,000 inhabitants, the circuit clerk of a county comprised wholly of a city with population of over 600,000 and the circuit clerk, circuit clerk-ex-officio, recorder of deeds or clerk of the court of common pleas shall receive extra duty compensation according to population assessed valuation schedule.

SB 779 — Relates to county assessors - compensation for extra duties

The provisions of this bill amend Chapter 53, RSMo and Chapter 65, RSMo by adding two new sections to each chapter.

Each county assessor in all counties except counties of the first class with or without a charter form of government shall place identification numbers, letters or names of all school districts and other political subdivisions authorized by law to levy a tax in the proper column provided on the land list and personal property list. As compensation for these extra duties each county assessor shall receive \$3,600 per year in addition to all other compensation provided by law. This money is to be paid out of the county treasury. Each township assessor in each township organization county shall perform similar additional duties and shall receive, in addition to all other compensation provided by law, an amount that is in the same proportion to \$3,600 that the number one is to the total number of township assessors in his county. In no event shall the amount be less than \$200 nor more than \$300.

Signed by the Governor.

SB 792 — Relating to payment of sheriff's costs in extradition cases

Repeals section 548.243, RSMo 1969 and enacts in lieu thereof one new section.

This bill provides that a sheriff shall receive payment for his expenses in returning prisoners who waive extradition from any U. S. territory, possession or state. The payment will be made by the state except in cases of non-payment of child support in which case the county will pay. Current law limits such payment by the state only to trips to adjoining states. The costs will continue to be levied against the prisoner if he is convicted.

SB 794 — Relating to certain banking facilities

Repeals section 362.107, RSMo Supp. 1975 and enacts in lieu thereof one new section.

This bill allows banks, in addition to all other functions performed at their separate facilities, to make loans at such facilities.

SB 795 — Relates to financial statements of savings and loan associations

Repeals section 369.014, RSMo 1977, and enacts in lieu thereof one new section.

This bill changes from January, to thirty days after the end of its fiscal year, the time period in which a savings and loan association must publish its annual financial statement.

Signed by the Governor.

SB 811 — Relating to the licensing of real estate brokers

Repeals sections 339.010, 339.040, 339.080, 339.100, 339.110, RSMo 1969 and enacts in lieu thereof eight new sections.

The bill revises the existing law governing the issuance and revocation of the licenses of real estate brokers by the Missouri Real Estate Commission. New brokers and sales persons will be required to complete a prescribed curriculum or demonstrate proof of either sufficient experience or education to satisfy the commission. The commission shall establish minimum curricula and standards for accredited real estate schools. Commissioners, their relatives and employees are prohibited from having a fiduciary interest in any real estate school.

The commission may investigate any transaction of any person or business entity holding a real estate license. If the commission finds that there is a probability that the licensee has engaged in certain unethical activities, the commission may file a complaint with the Administrative Hearing Commission. Upon a finding by the administrative hearing officer that the licensee has engaged in prescribed activities the commission may revoke or suspend the licensee's real estate license.

SB 814 — Relating to a refund of tax paid on fuel

Repeals section 142.581, RSMo Supp. 1975 and enacts in lieu thereof one new section.

At present, any person who purchases special fuel tax-paid and uses it for purposes other than to propel a motor vehicle on the highway, shall be reimbursed the amount of such tax paid. Special fuel that has been purchased tax-paid and used by

auxiliary equipment receives such refund provided that the special fuel consumed by auxiliary equipment is metered by a metering device. This bill amends the statute to allow a refund if a record of the special fuel consumed by the auxiliary equipment is maintained in accordance with regulations established by the Director of Revenue.

HCS/SB 820 — Relates to disclosure of certain information affecting corporations

This bill is the "Missouri Take-Over Bid Disclosure Act." The bill defines a take-over bid as an offer, other than an exempt offer, made by an offeror directly or indirectly to an offeree to purchase such number of shares of any class of equity security of the offeree company which, together with the offeror's shares, will in the aggregate exceed ten percent of the outstanding shares of such class. The bill outlines a number of provisions regarding every take-over bid. These include prohibiting more than one take-over bid in a twelve month period, depositing shares between twenty-one and thirty-five days from the date of first invitation, allowing an offeree twenty-one days to withdraw his shares. The bill requires disclosure of certain information in connection with take over bids. Included are the terms of the bid, the source and amount of funds used in making the bid, any liquidation plans of the offeror, and a description of the organization and operations of the offeror. The bill allows the Commissioner of Securities to investigate any violations of the act.

The bill further outlines the instances of liability of the offeror to an offeree and sets forth provisions for an offeree suing to recover. Every offeror is required to file an irrevocable consent form appointing the Commissioner to be his attorney to receive service of any lawful process in any noncriminal suit arising under this act. The Commissioner's duties are further delineated in the bill.

SB 823 — Relating to economic impact statements

The provisions of this bill require all bills, except appropriations bills, to be submitted to the Committee on State Fiscal Affairs. The staff of the committee shall prepare a fiscal note which shall state the cost of the proposed legislation; whether it will involve duplication of existing programs; and whether new facilities are required. This bill will become effective on July 1, 1979.

CCS/SB 839 — Relating to campaign practices

Repeals sections 129.070, 129.075, 129.100, 129.110, 129.120, 129.130, 129.150, 129.160, 129.170, 129.180, 129.190, 129.200, 129.210, 129.220, 129.240, 129.250, 129.260 and 129.270, RSMo 1969, sections 129.140, 129.230, RSMo Supp. 1973 and sections 130.010, 130.015, 130.020, 130.025, 130.030, 130.035, 130.040, 130.045, 130.050, 130.055, 130.060, 130.065, 130.070, 130.075, 130.080 and 130.085, RSMo Supp. 1975 and enacts in lieu thereof nineteen new sections.

The bill relates to the recording of election campaign contributions and expenditures. The bill pertains to all candidates, ballot measures and committees. More specifically, the bill exempts from reporting only those candidates that receive or expend five hundred dollars or less and where no single contributor has contributed more than fifty dollars. The

bill requires disclosure reports of receipts and expenditures to be filed forty days and seven days prior to an election date and thirty days after an election. A late contribution report is required if a certain amount of contributions is received after the final pre-election report (\$1,000 for statewide office and \$500 for all committees). There are no prohibitions on who may contribute to a campaign or in what amount contributions may be made. Contributions in excess of fifty dollars must be made by check. Labor organizations may make expenditures or contributions when authorized to do so by a majority vote of the members. Corporate structures may make expenditures or contributions when the board of directors authorizes such action by resolution. The law specifically prohibits discriminatory and unfair practices of corporations, labor organizations or persons against members or employees because of their beliefs or opinions. Anonymous contributions are limited to ten dollars, with a total limitation of all anonymous contributions at five hundred dollars or one percent of total contributions (which ever is greater). An individual that contributes more than five hundred dollars must file a separate report.

This bill creates the "Campaign Finance Review Board" that is responsible for assisting the Secretary of State with election duties and reviewing reports and statements filed in compliance with this law. In addition, filing officers must review reports and statements, assist the Secretary of State, and maintain records. The local prosecuting attorneys and the Office of the Attorney General provide enforcement mechanisms for this law and penalties for noncompliance are listed. The effective date of this bill is August 13, 1978.

SB 848 — Relates to the office of chief clerk of the magistrate court in Greene County

Repeals sections 483.285 and 483.495, RSMo Supp. 1975, and enacts one new section in lieu thereof.

This bill abolishes the office of chief magistrate clerk in Greene County. The duties of that office will be assumed by the circuit clerk of the county. For the additional duties, the circuit clerk will be paid \$22,000 annually, instead of the current \$16,500, with \$12,000 paid by the state and \$10,000 by the county. The change is effective on December 31, 1978.

Signed by the Governor.

SB 851 — Relating to conveyance of state property in Greene County

The Governor is authorized to grant, bargain, sell and convey for two hundred dollars and other valuable consideration a tract of land in Greene County, presently used by the Department of Mental Health, to the United Cerebral Palsy of Southwest Missouri. As condition thereof, United Cerebral Palsy will undertake treatment of all indigent Missouri residents who apply for such without regard to race, color, sex and creed.

SB 873 — Relating to the sale of state property

This bill authorizes the Governor to convey to the highest bidder a piece of property in Kansas City (presently under the control of the Department of Elementary and Secondary Education). Notice of public auction shall be given in a Jackson County newspaper of general circulation.

SB 893 — Relating to an easement on state land

The bill authorizes the Governor to grant an easement to the Missouri Edison Company for erection and operation of an electric transmission line on state land in St. Charles County. The consideration for granting the easement shall be \$10 and the release to Missouri by the Missouri Edison Company for a previous easement granted by the Fort Zumwalt School District R-2.

Signed by the Governor.

SB 906 — Relating to the Public School Retirement System of Missouri

Repeals sections 169.050 and 169.130, RSMo 1969, and enacts in lieu thereof two new sections.

The bill removes time restrictions (5 years after reemployment or before July 1, 1968) on reinstating creditable service with the system. It permits reinstatement of periods of previous creditable service when members pay to the system the accumulated contributions withdrawn plus interest.

The final date for joining the system, while receiving credit for prior service, is extended for certain members employed as teachers by the Department of Social Services. Prior service for members of the system employed by the section of inmate education, Division of Corrections, may include wartime service in the armed forces. The latter provision applies only if the member was a teacher at the time of induction.

Signed by the Governor.

SB 950 — Compensation of probate judges

Repeals section 481.205, RSMo Supp. 1977, and enacts in lieu thereof one new section.

Under the provisions of this act, probate judges of counties of the second class having a population of less than sixty-five thousand, will receive a salary of thirty-two thousand eight hundred dollars. Previous salary was \$27,800 for probate

judges in counties with more than 30,000, but less than 65,000 population.

Signed by the Governor.

SB 954 — State aid to schools - inclement weather

The bill provides that school districts shall be required to make up the first ten days of school lost or cancelled due to inclement weather in the 1977-78 school year. Beginning with the 1978-79 school year, no school district shall be exempt from any requirement to make up any school days lost to inclement weather, unless that school district schedules at least two-thirds as many make up days for a school year as were lost in the previous school year, which days shall be in addition to the school calendar days required for a school term. A school district shall be required to make up the first eight days of school lost due to inclement weather and half the number of days lost in excess of eight days. The bill contains an emergency clause.

Signed by the Governor.

SCS/SB 956 — Relating to conveyance of property by quitclaim deed

The Governor is authorized to issue a quitclaim deed for specified properties. Marginal notation indicates said properties were conveyed to the state in 1876, but no record of conveyance exists.

HCS/SB 961 — Relates to taxes on utility surcharges

The bill suspended the collection of sales and franchise taxes on any surcharge imposed by electric utilities to recover fuel costs incurred during a fuel shortage. The law contains an emergency clause and a termination date of January 31, 1979.

Signed by the Governor.

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SENATE JOINT RESOLUTIONS

SJR 31 — Relates to the Board of State Canvassers

This submits to the voters a Constitutional Amendment to change Section 18 of Article IV. If approved by the voters, the Secretary of State will be permitted to call a meeting of the Board of State Canvassers to certify election returns before the second Tuesday in December. If no such call is issued, the Board would still meet on the second Tuesday as at present.

SJR 35 — Relating to payments by the Conservation Commission in lieu of property taxes

This joint resolution will submit to the vote of the people a proposed Constitutional amendment. If adopted, it will permit the General Assembly to require the Conservation Commission

to make payments in lieu of property taxes on any forest cropland and on any land acquired after July 1, 1977. The payments would come from the funds raised by the one-eighth of a cent sales tax adopted in 1976 to finance the "Design for Conservation." Any counties receiving payments would distribute the funds to the appropriate political subdivisions.

CCS/SJR 37 — Relating to tax rates of political subdivisions

This joint resolution will submit for voter approval an amendment to the Constitution. If adopted, it would allow the General Assembly to require any political subdivision to reduce its rate of levy of all property taxes. Any rate so reduced could be increased in subsequent years by a method established by law by the General Assembly.

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HOUSE OF REPRESENTATIVES — BILLS AND JOINT RESOLUTIONS

Truly Agreed To and Finally Passed

HOUSE BILLS

HCS/HB 879 & 899 — Relating to training programs for peace officers

This act establishes a training program for peace officers throughout the state under the direction of the Director of the Department of Public Safety. The director is authorized to establish a training program for new officers and to approve other training programs and instructors in such programs. The training is optional for officers in towns with populations under two thousand or with fewer than four full time peace officers. For other officers a minimum of training, ranging from 120 hours in small towns to 600 hours in Kansas City and St. Louis and 1,000 hours for state troopers, is mandatory. The training will be funded through a fee of two dollars assessed as an additional cost in any conviction for a violation of a criminal law and for moving traffic violations.

HB 880 — Relating to training programs for sheriffs

This bill provides for a training programs for newly elected sheriffs and for sheriffs-elect. The Superintendent of the Missouri State Highway Patrol, after consulting with the Missouri sheriffs and their professional organizations, shall formulate the program which shall consist of at least 120, but not more than 130 hours of instruction in all phases of law enforcement. Emphasis will be on the duties and responsibilities of sheriffs. Within six months of election, a sheriff shall file proof of completion of this training program or of a comparable program with the presiding circuit judge of the county and with the Director of the Department of Public Safety. Attendance at the training program may be prior to or after assuming office, at the discretion of the governing body of the county from which the sheriff was elected. During the time of attendance at such a training program, the sheriff elect shall be hired as a county employee of the county from which he was elected and shall be paid at a rate equal to that of the sheriff of the county. Tuition, room and board for newly elected sheriffs and sheriffs-elect during the training program will be paid by the state.

HB 881 — Relating to blind pension benefits

Repeals section 209.040, RSMo 1976 and enacts in lieu thereof one new section.

The monthly blind pension benefit for eligible recipients is increased from \$135 to \$160.

HB 882 — Relating to definitions governing the open governmental meetings and records law

Repeals section 610.010, RSMo 1977, and enacts in lieu thereof one new section.

This bill extends the state's open meeting, or "sunshine" law, to include any committee acting under the authority of a governmental entity and authorized to report to such

entity. It will also cover "quasi-public governmental" bodies defined as corporations organized under Chapters 352, 353 or 355, RSMo which perform public functions, enter into contracts with public governmental bodies, or engage primarily in activities resulting from agreements with public governmental bodies. Urban redevelopment corporations organized under Chapter 353 are excepted if they are privately owned, operated for profit, and do not expend public funds.

Signed by the Governor.

HB 884 — Relating to financial aid for the education of students in certain health professions

State loans, not to exceed \$6,000 per academic year, will be made available to students enrolled in formal courses of instruction leading to the degrees of doctor of medicine or doctor of osteopathy. A total of one hundred loans would be made available over a four year period. At least 50% of the loans must be made to students from rural areas of the state. Such areas are defined as communities not located within a Standard Metropolitan Statistical Area and which have populations of 6,000 or less. All recipients of the loans must be Missouri residents. The State Board of Health is made the administrative agency for the program.

An interest rate of 9 1/2 percent per year will be charged on the loans. One-fourth of the interest and principal of the total loan is forgiven for each year the graduate practices his profession in a rural area or an urban area of defined need. Deferrals of principal and interest payments, not exceeding three years, can be granted to loan recipients who pursue an internship or residency in general or family practice.

Signed by the Governor.

HB 891 — Relating to a state guaranteed student loan program

Repeals section 173.095 and ten succeeding sections, RSMo 1969 and enacts in lieu thereof twelve new sections.

The bill relates to a Missouri Guaranteed Student Loan Program. Under this bill, Missouri would administer a loan program to post secondary education students with the Department of Higher Education as the administrative agency and the Coordinating Board for Higher Education promulgating regulations for the program. The Coordinating Board shall also establish standards for determining eligible institutions, eligible lenders and eligible borrowers using the guidelines provided in this bill. The Department of Higher Education shall charge for each loan a special loan program premium of up to 1% per annum, paid to the Department for the costs of administering the program and to guarantee student loans. The bill further provides that the Governor may request a not-for-profit corporation to provide a statewide student loan program to serve as lender of second resort for students who are denied a loan from a commercial lender and another not-for-profit corporation to serve as the guarantee agency responsible for the obligations incurred by the lender of second

resort. A not-for-profit corporation which provides a student loan program of second resort, may issue tax exempt revenue bonds for the purpose of obtaining funds for making student loans. None of the obligations of the lender of second resort nor the revenue bonds issued by such corporations shall be obligations of the State of Missouri. The eligibility of any person for a student loan shall not be affected by a person's race, religion, creed, sex, color, location of residence or choice of eligible institution.

HB 893 — Relating to sales tax exemptions

This bill provides an exemption from the state sales and use tax for the sales of insulin, prosthetic or orthopedic devices and all prescription drugs. This bill will become effective January 1, 1979.

HB 895 — Relates to the regulation of securities

Repeals sections 409.406, 409.408, 409.410, 409.411 and 409.414, RSMo 1969 and sections 409.202, 409.305, 409.401 and 409.402, RSMo Supp. 1977 and enacts in lieu thereof nine new sections.

The bill makes extensive changes in the securities registration law as it applies to agricultural cooperative associations. It specifies the method for distributing voting stock, limits the size of dividends, and places limits on the supplies and services provided to non-members. The bill increases filing fees and strengthens the penalty provisions of the securities law.

SCS/HCS/ HB 896 & 897 — Relates to abandoned property and unclaimed funds

Repeals sections 362.390 and 362.395, RSMo 1969, and enacts in lieu thereof four new sections.

This bill establishes procedures whereby every bank, credit union and savings and loan association in the state will report and turn over to the state any funds over \$50 which are unclaimed. Once every seven years these companies will report funds of more than \$50 which over that period were unclaimed, the report is to then be published and a notice sent to the last known address of each apparent owner. If no response is received in 180 days then the company is to transmit the funds to the State Treasurer. Any person having a legal interest in these funds may file a claim with the appropriate division director for up to twenty-one years. The director shall promptly consider such claims and shall allow or disallow them in 90 days. If such claim is disallowed, the claimant may further petition the circuit court of the county praying the money be paid to him.

Signed by the Governor.

SCS/ HB 914 — Uniform Child Custody Jurisdiction Act

Repeals section 452.410, RSMo Supp. 1975 and enacts in lieu thereof 24 new sections.

This bill deals with the problems which arise in child custody proceedings in cases where the parties to the proceedings do not all live in the same state. It establishes a method for determining which state's courts should have jurisdiction and prevents "forum-shopping" by someone with custody of a child

in violation of an earlier decree. It also provides the forms of communication among the courts, the means of enforcing one state's court orders in another state, the means of communication between the court with jurisdiction and the interested parties in other states, and other similar matters which arise in such cases.

HCS/ HB 933 — Relating to dispensing of generic drug products

Repeals sections 338.055 and 338.059, RSMo 1975, and enacts in lieu thereof four new sections.

The bill allows substitution by pharmacists of drugs accepted as generically equivalent as determined by the United States Adopted Names and accepted by the Federal Food and Drug Administration. Substituted drugs must be generically equivalent to and less expensive than the prescribed product. Substitution cannot occur if the purchaser requests otherwise. Where written prescriptions are involved, the practitioner must sign his name to a line above the words "substitution permitted" on the prescription if substitution is to occur. In cases of oral prescriptions, the practitioner or his agent must instruct the pharmacist whether or not substitution is allowed.

The Department of Consumer Affairs, Regulation and Licensing will publish a negative formulary - a list of drug products for which substitution shall not be permitted. The negative formulary shall be based upon a joint determination of the Division of Health, the State Board of Registration for the Healing Arts, and the State Board of Pharmacy.

All prescription drug labels will list the exact name and dosage of the dispensed drug. When a generic substitution is dispensed, the name of the manufacturer or an abbreviation thereof shall appear on the label or in the pharmacist's records. The legislation has an effective date of January 1, 1979.

Signed by the Governor.

HB 934 — Relates to strip mining reclamation performance standards

The bill will amend Chapter 444, RSMo by adding one new section.

Operators of new strip mines in the state must meet the more stringent reclamation standards established in this act. Operators would be required to restore prime farm land, as determined by the Soil Conservation Service, to its original contours and its original yield capacity. Operators are required to segregate the various types of topsoils before mining operations begin. The topsoil is to be replaced once mining operations have ceased. Operators are required to minimize hydrologic imbalance by containing toxic materials and by preventing excessive erosion of the site. Passage of this act makes the state eligible for federal funds for the restoration of abandoned strip mines. The act contains an emergency clause.

HCS/ HB 939 & 1350 — Legislature - Committee on Administrative Rules

Repeals section 536.037, RSMo Supp. 1975 and enacts in lieu thereof two new sections.

The act authorizes the Committee on Administrative Rules to review and suspend rules promulgated by state agencies. A suspension of a rule would become effective within forty-

eight hours unless the Circuit Court of Cole County issues an injunction prohibiting the suspension. In order for a suspension to become permanent the General Assembly must, in the next session, pass a law rescinding the rule.

Vetoed by the Governor.

HCS/HB 949 & 1266 — Relating to the Human Rights Commission

Repeals sections 213.010, 213.030, 296.020, 296.030, 296.040, 296.070, 314.010, 314.030, 314.050, 314.060, RSMo 1969 and sections 213.100, 213.105, 213.110, 213.115, 213.120, and 296.010, RSMo Supp. 1975 and enacts in lieu thereof seventeen new sections.

Members of the Human Rights Commission shall receive fifty dollars a day for each day they serve as members of a panel to hear complaints involving alleged discriminatory practices. Panel members will also be reimbursed for reasonable and necessary expenses. The duties of the commission shall be to encourage fair treatment for all persons regardless of race, national origin, ancestry, sex or handicap. Handicap means a physical or mental impairment resulting in a disability unrelated to a person's ability to perform the duties of a particular job for which he could be otherwise eligible or qualified. Refusal of a bona fide offer or refusal to sell or rent because of a person's race, color, religion, national origin, ancestry, sex or handicap is also unlawful. Persons alleging discrimination may make and file a verified complaint with the Human Rights Commission. Complaints must be filed within 180 days after the alleged discriminatory act. All persons shall also be entitled to full and equal use and enjoyment within this state of any place of public accommodation without discrimination or segregation on the grounds of race, creed, color, religion, national origin, sex, ancestry or handicap. Notwithstanding any other provision of chapter 296, RSMo (Discriminatory Employment Practices) it will not be an unlawful employment practice because of sex to differentiate in employment compensation, terms, conditions or privileges of employment between male and female employees if such differences are otherwise required or permitted by laws of this state, or by provisions of section 703 of the Federal Civil Rights Act of 1964, as amended, or by the provisions of section 6 (d) of the Federal Fair Labor Standards Act of 1938, as amended. It shall not be an unlawful employment practice because of sex for an employer, pursuant to a pension, retirement, profit sharing, welfare or death benefit plan to provide for the retirement of female employees at a younger age than male employees or to provide differences in annuity, death and survivors benefits between widows and widowers.

HB 969 — Relating to public school transportation

Repeals sections 163.161, 167.231 and 167.232, RSMo Supp. 1977 and enacts in lieu thereof three new sections.

The bill allows school districts, if they so choose, to provide transportation for pupils living less than one mile from school (without affecting state aid) at district expense. If no increase in the tax levy is needed to provide transportation to students living less than one mile, such transportation may be provided if approved in a public election by a simple majority vote. If an increase in the tax levy is needed, such transportation may be provided if approved in an election by 2/3 majority vote. This bill provides state reimbursement for transporting students to and from vocational courses. The bill further allows school districts in first class counties not having a charter form of government and not containing any part of a city of over 400,000 (Greene

County) to transport any public school student not otherwise eligible at the option and expense of the parent.

HB 971 — Relating to certain election laws

Repeals 386 sections in RSMo 1969, 65 sections in RSMo Supp. 1975, 15 sections in RSMo Supp. 1976 and 26 sections in RSMo Supp. 1977 and enacts in lieu thereof four hundred and twenty-three new sections.

This bill is a revision of the election laws of the state. The bill requires the holding of regular elections on particular days and eliminates references in the old law that had conflicting election dates. Provisions and specifications regarding notices of elections are made and directions are given to various election authorities outlining notice responsibilities. The bill deletes the conflicting notice provisions found in other chapters. Many chapters of the bill clarify detailed specifications for the counting of votes, certification of the count and certification of the election results. The bill establishes the language which is to be substantially used in formulating questions on ballots. This bill is primarily designed to clarify questions and conflict of provisions that have arisen since passage of the comprehensive election law passed last year.

HB 972 — Relates to the termination of parental rights

Repeals sections 211.441, 211.451, 211.461, 211.471, 211.481, 211.491, 211.501 and 211.511, RSMo 1969 and enacts in lieu thereof eleven new sections.

This bill changes the procedures and requirements for termination of parental rights. Under previous law a situation, including abandonment, permitting such termination must have continued for one year. Under this bill, the time period will vary depending on the actions of the parents. Neglect or non-support for six months, abandonment for six months if a child is over one year old or for sixty days if a child is under one year old, will constitute grounds for termination of parental rights, as will a single act of incest or sexual molestation, a single incident of life threatening or disabling injury to the child or the death of a sibling due to parental abuse or neglect. There are also some minor changes in the procedures to be followed, including a requirement that counsel be appointed for the child — currently that is optional.

HB 978 — Relates to temporary liquor permits

Amends Chapter 311, RSMo, by adding section 311.485.

This bill permits the Supervisor of Liquor Control to issue a temporary permit to caterers and other persons holding liquor-by-the-drink licenses allowing such persons to serve alcoholic beverages, under certain conditions, at a place other than licensed premises. The temporary permit cannot be valid for more than five days and must apply only to a particular function, occasion or event at a particular location. No such permit can be issued for use at a "festival" as defined in Chapter 316.

All provisions of the liquor control law and city ordinances shall apply on the premises for which the temporary permit is granted.

Signed by the Governor.

APPROPRIATION BILLS

HB 1001 — Public Debt Appropriations

Fiscal 1978-79 appropriations are made for the investment in registered bonds by the University of Missouri and the State Board of Education, for the payment of interest and sinking fund requirements of the Second State Building Bonds, and to the Board of Fund Commissioners for State Building Bonds and Water Pollution Control Bonds.

\$10,218,331	-	General Revenue
14,531,306	-	Other Funds
<u>\$24,749,637</u>	-	TOTAL

Signed by the Governor.

CCS/HB 1002 — Public Education Appropriations

Fiscal 1978-79 appropriations are made for the State Board of Education and the Department of Elementary and Secondary Education. General Revenue funds are transferred to the State School Moneys Fund.

\$517,266,071	-	General Revenue
190,768,230	-	Federal
60,767,000	-	Other
<u>\$768,801,301</u>	-	TOTAL

CCS/HB 1003 — Higher Education Appropriations

Fiscal 1978-79 appropriations are made for the expenses, grants and distributions of the Department of Higher Education and the state's public institutions of higher education.

\$279,582,321	-	General Revenue
4,212,536	-	Federal
2,002,113	-	Other
<u>\$285,796,970</u>	-	TOTAL

CCS/HB 1004 — Department of Revenue Appropriations

Fiscal 1978-79 appropriations are made for the expenses, grants, refunds and distributions of the Department of Revenue, and to transfer money from the Conservation Commission Fund to the General Revenue Fund.

\$103,395,236	-	General Revenue
109,085	-	Federal
77,991,874	-	Other
<u>\$181,496,195</u>	-	TOTAL

CCS/HB 1005 — Elected Officials and Office of Administration Appropriations

Fiscal 1978-79 appropriations are made for the expenses, grants, refunds and distributions of the six statewide elected officials and the Office of Administration.

\$111,753,454	-	General Revenue
7,449,238	-	Federal
37,424,553	-	Other
<u>\$156,627,245</u>	-	TOTAL

CCS/HB 1006 — Judiciary Appropriations

Fiscal 1978-79 appropriations are made for the expenses, grants and distributions of the Judiciary.

\$19,964,386	-	General Revenue
1,572,208	-	Federal
250,000	-	Other
<u>\$21,786,594</u>	-	TOTAL

CCS/HB 1007 — Appropriations for Departments of Agriculture, Conservation, Consumer Affairs, Regulation and Licensing, Labor and Industrial Relations and Natural Resources

Fiscal 1978-79 appropriations are made for the expenses, grants, refunds and distributions of the Departments of Agriculture, Conservation, Consumer Affairs, Regulation and Licensing, Labor and Industrial Relations, and Natural Resources. Also authorized is the transfer of money among specific funds.

\$ 35,098,769	-	General Revenue
2,000,000	-	Revenue Sharing Trust Fund
172,259,892	-	Federal
71,672,424	-	Other
<u>\$281,031,085</u>	-	TOTAL

CCS/HB 1008 — Appropriations for Departments of Highways, Public Safety, and Transportation

Fiscal 1978-79 appropriations are made for the expenses, grants, refunds and distributions of the Departments of Highways, Public Safety and Transportation.

\$ 9,693,358	-	General Revenue
249,961,184	-	Federal
356,358,899	-	Other
<u>\$616,013,441</u>	-	TOTAL

CCS/HB 1009 — Appropriations for Departments of Mental Health and Social Services

Fiscal 1978-79 appropriations are made for the expenses, grants and distributions of the Departments of Mental Health and Social Services.

\$ 469,902,328	-	General Revenue
577,352,601	-	Federal
40,989,258	-	Other
<u>\$1,088,244,187</u>	-	TOTAL

CCS/HB 1010 — Appropriations for General Assembly

Fiscal 1978-79 appropriations are made for the General Assembly, for the expenses and salaries of employees, and for statutory and interim committees.

\$11,105,669	-	General Revenue
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CCS/HB 1011 — Capital Improvements Appropriations

Fiscal 1978-79 appropriations are made for capital improvements for repairs, maintenance and installation or replacement of building components, equipment or mechanical systems.

\$14,846,759	-	Revenue Sharing Trust Fund
210,720	-	Federal
480,646	-	Other
<u>\$15,538,125</u>	-	TOTAL

HB 1013 — Reappropriations, Fiscal 1978-79

Funds appropriated in prior years are reappropriated for fiscal year 1978-79 for capital improvements and other purposes.

\$ 20,667,601	-	General Revenue
86,483,591	-	Revenue Sharing Trust Fund
19,346,267	-	Federal
88,266,036	-	Other
<u>\$214,763,495</u>	-	TOTAL

CCS/HB 1012 — Capital Improvements Appropriations

Fiscal 1978-79 appropriations are made for capital improvements including additions and renovations, new structures, and land improvement or acquisition.

\$10,095,061	-	General Revenue
33,232,386	-	Revenue Sharing Trust Fund
4,408,951	-	Federal
28,493,234	-	Other
<u>\$76,229,632</u>	-	TOTAL

CCS/HB 1014 — Emergency and Supplemental Appropriations, Fiscal 1977-78

Emergency and supplemental appropriations are made for fiscal year 1977-78 for the departments and officers of state government and for the payment of various claims for refunds for persons, firms and corporations.

\$23,344,204	-	General Revenue
33,866,141	-	Federal
2,210,925	-	Other
<u>\$59,421,270</u>	-	TOTAL

Signed by the Governor.

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HB 1036 — Relating to nursing homes acquired or erected by counties or townships

Repeals section 205.375, RSMo 1975, and enacts in lieu thereof two new sections.

County courts or township boards are allowed to lease nursing homes under their control to any person, firm or corporation, as well as not-for-profit organizations, for operational purposes.

Counties with nursing homes erected under the provisions of section 205.375 can order the conveyance of the facilities to nursing home districts located wholly within those counties. Instruments of conveyance must contain a provision that the nursing home district's board of directors perform all duties imposed by law on the governing body of the county nursing home. Furthermore, it must perform all covenants the governing body of the county nursing home made to secure issuance of any outstanding bonds.

The consideration received by the county for conveying the property shall be applied to the payment of interest and principle on indebtedness remaining for construction of the home.

HB 1043 — Relates to the exemption of certain counties from the Sunday sales law

This bill allows voters in Buchanan and Cass Counties to vote to exempt themselves from the application of the Sunday sales law (Section 563.721, RSMo). The proposal would be submitted to the voters upon a majority vote of the governing body of the county or upon the filing of a petition to the governing body requesting submission of the proposal. The petition must be signed by a number of qualified voters residing in the county equal to eight percent of the votes cast in the county in the next preceding gubernatorial election. If a majority of the votes cast by qualified voters are in favor of exemption from the Sunday sales law, that law will no longer be applicable in the county. The exemption becomes effective when the vote taken has been filed with the Secretary of State and the Revisor of Statutes and has been certified as received by those officers.

Signed by the Governor.

HB 1048 — Highway patrol uniform allowance

Repeals section 43.130, RSMo 1969 and enacts in lieu thereof one new section.

The bill permits the Superintendent of the Highway Patrol to set, by regulation, the maximum uniform allowance for members of the Highway Patrol. Previously, the maximum allowance set by statute was \$25 per month.

HB 1052 — Relating to prosecuting attorney fees

Repeals section 56.310, RSMo 1969 and enacts in lieu thereof one new section.

The fees collected by prosecuting attorneys are raised by this act unless otherwise directed by law. For collections on

HB 1038 — State registrar - fees

Repeals section 193.530, RSMo 1969 and enacts in lieu thereof one new section.

The bill provides that upon certification by the state registrar the Commissioner of Administration shall pay the fees of the local registrars. The legislation has an effective date of January 1, 1979.

recognizances given to the state in criminal cases, which are or may become forfeited, twenty-five percent on all sums collected if not over \$500 and fifteen percent on sums over \$500, to be paid out of the amount collected.

For the conviction of every defendant in any case where the punishment assessed shall be by confinement in the penitentiary, except in cases of rape, arson, burglary, robbery, forgery or counterfeiting, sixty dollars; for conviction of every defendant of homicide, other than capital, or for offenses excepted in the last clause, seventy-five dollars; for the conviction of every defendant in a capital case, one hundred fifty dollars. Other fees are specified in the bill.

HB 1057 — Relating to appeals to the State Banking Board

Repeals section 361.094, RSMo 1969 and enacts in lieu thereof one new section.

This bill provides for a ninety day (previously sixty) decision period on appeals to the State Banking Board from adverse decisions by the Commissioner of Finance regarding application for incorporation or changes in the articles of agreement of banks and trust companies. Also, the State Banking Board would be permitted to designate one member of the board or a hearings officer to conduct required hearings.

HB 1115 — Relating to fire protection districts

Repeals section 321.180, RSMo 1969 and enacts in lieu thereof one new section.

The law changes the fiscal year of fire protection districts from July 1 to June 30 to the regular calendar year, January 1 through December 31.

HCS/HB 1116 & 1117 — Relates to state aid for the development of airports

Repeals section 305.230, RSMo Supp. 1975 and enacts in lieu thereof two new sections.

The bill relates to public airports and alters current law by changing the state aid to eligible cities and counties regarding airports. The bill stipulates that when any city or county certifies to the Governor that it has appropriated a specific sum for airport purposes, a like sum not exceeding twenty-five thousand dollars in any one fiscal year nor exceeding seventy-five thousand dollars in any consecutive five fiscal years may be allotted to the city or county from the state appropriation made for that purpose. The total appropriation to cities and counties jointly constructing, operating and maintaining an airport shall not exceed fifty thousand dollars in any one fiscal year nor one hundred thousand dollars in any consecutive five years. This bill further stipulates that all requests for building, developing and improving a public airport shall be channeled through the Department of Transportation (with certain exceptions).

SS/SCS/HCS/HB 1121 & 1257 — Relating to compensation of certain local officials

Repeals sections 49.090, 49.110, 49.120, 58.110, 82.390 and 82.520, RSMo 1969, sections 50.334, 50.336, 54.250, 54.260,

56.065, 56.270, 483.082, 483.351, 485.060 and 485.065, RSMo Supp. 1975 and section 207.025, RSMo Supp. 1977 and enacts in lieu thereof seventeen new sections.

This bill raises salaries of certain local officials as follows with previous salary in parenthesis:

Counties of the Second Class

County Court Judges - \$10,000 (\$7,500)

County Treasurer - \$15,000 (\$12,000)

(For additional duties of establishing and administering a federal revenue sharing trust fund, the treasurer shall receive \$3,000. This provision terminates January 1, 1981)

Prosecuting Attorney - \$27,000 (\$22,000)

(Counties of more than 100,000 inhabitants or having a population of over 30,000 inhabitants containing part of a city of over 450,000 and counties of over 80,000 but less than 90,000)

Prosecuting Attorney in all other

counties of this class - \$21,000 (\$19,000)

Counties of the Third Class

Judges of the County Court (In certain counties salary is based on assessed valuation)

\$20,000,000 - \$70,000,000 - \$5,500 (\$3,000)

\$70,000,000 or over - \$6,500 (\$4,000)

In all other counties the judges shall receive for their services twenty (fifteen) dollars per day for the first 10 days of each month when holding court and fifteen (ten) dollars for each additional day of each month. Mileage is raised to fifteen (ten) cents per mile for necessary official travel.

Treasurer - for counties of the third class, except those having township organization, the salary is based on population-assessed valuation tables.

Coroner - based on county population

Less than 10,000 - \$480 (\$240)

10,000 - 15,000 - \$720 (\$360)

15,000 - 20,000 - \$960 (480)

20,000 - 24,000 - \$1,440 (\$720)

24,000 - 30,000 - \$1,920 (\$960)

30,000 or more - \$2,400 (\$1,200)

Counties of the Fourth Class

Judges of the County Court - The judges may receive twenty (fifteen) dollars per day for the first ten day of each month when holding court and fifteen (ten) dollars per day for each day of the month thereafter when holding court. Mileage is increased to fifteen (ten) cents per mile for necessary official travel.

Treasurer - in all counties of this class, except those having township organization, the salary is based on population-assessed valuation tables.

Recorder of Deeds - If this office is separate from that of the circuit clerk, salary increases are based on population-assessed valuation tables for all counties, except those of the first class, having a population of less than 500,000.

Circuit Clerks - Circuit clerk of St. Louis City, the circuit clerk or the circuit clerk-ex officio recorder of deeds in all counties except counties of the first class will receive compensation based on population-assessed valuation tables. In addition, the circuit clerk of St. Louis City shall receive \$1,500 per year. The circuit clerk of any second class county where court is held in two cities shall receive an additional \$3,000 per

year. In addition to other compensation the circuit clerk of District 1 of the Circuit Court of Marion County and the Circuit Clerk of District 2 of the Circuit Court of said county shall each receive \$1,500 per year. If the judge orders child support payments in Marion County to be made through the clerk, the clerk shall annually or before February 1st of each year charge ten dollars per year to the person obligated for more child support payments. Such fees shall be paid to the county general revenue fund if the clerk is paid by the county or to the state if paid by the state. The clerk of District Number 2 of the Marion County Circuit shall receive \$2,000 per year and the clerk of District Number 2 of the Marion County Circuit Clerk and the Circuit Clerk of Cape Girardeau County shall receive the sum of \$300 per year. The compensation provided in 483.083, RSMo shall be in lieu of all fees and all fees collected shall be paid to the state, counties or St. Louis City as otherwise provided by law. Compensation payable to circuit clerks in first class counties shall be payable as otherwise provided by law.

Court Reporters - The court reporter for a circuit judge shall receive an annual salary of \$22,500 (\$15,000). This salary shall be paid equally by the county treasury and state treasury.

License Collector - The License Collector of the City of St. Louis shall receive a salary of \$25,000 (\$20,000) per year. The annual salaries and compensation of the employees of the License Collector's office are as follows:

Chief Deputy	\$20,000 (\$12,500)
Assistant Deputy	
License Collector	14,000 (\$9,500)
Cashier	13,500 (\$8,400)
Assistant Cashier	10,000 (\$7,200)
Secretary	10,500 (\$6,000)
Account Clerk II's	10,000 (\$6,200)
Account Clerk I's	7,800 (\$5,800)
Clerk II's	8,000 (\$6,000)
Clerk I's	5,000 (\$5,000)
Inspectors	9,000 (\$5,400)

St. Louis City City Treasurer - The salary of the St. Louis City Treasurer shall be \$13,000 (\$8,000) per year.

Also, there are certain changes in section 207.025, RSMo Supp. 1977, relating to the state plan for child support enforcement. These are mainly changes in title from Magistrate to Associate Circuit Judge. In cases where there is more than one associate circuit judge of a county or a city not within a county, an associate circuit judge designated by the presiding judge of the circuit will consult with the prosecuting attorney in certain cases concerning child support.

All court clerks are to keep such records as to accurately record all essential matters pertaining to the court and all court clerks should be empowered to utilize methods, systems and techniques of keeping records of essential matters.

SCS/HB 1126 — Relating to the creation of Joint Power Commissions

The law provides the legal framework for the establishment of Joint Utility Commissions. Contracting municipalities, electric cooperatives and public utilities may establish a joint commission to develop and maintain water, gas, electric or heating power plants and the necessary distribution and transmission lines. The Public Service Commission shall have jurisdiction over any joint utility commission established under this act. Joint utility commissions shall have the powers and privileges of a political subdivision, but will not have the power to tax. The joint utility commissions may raise revenue through the issuance of bonds which shall be exempt from state taxes.

Bonds issued pursuant to this act shall be payable solely from net revenues derived from the operation of the commission's projects or from other funds available to the commission from sources other than taxation. The effective date is conditional upon the adoption of a Constitutional Amendment authorizing the creation of Joint Municipal Utility Commissions.

HB 1154 — Relates to the conveyance of land to a Cerebral Palsy Affiliate

The bill authorizes the Governor to grant, bargain, sell or convey for \$1 and other valuable consideration a one acre tract of land (presently a part of the lands of the State School for the Severely Handicapped) to the Scott-New Madrid-Mississippi Counties Cerebral Palsy Affiliate, a not-for-profit corporation. The title will revert if the tract ceases to be used for this purpose.

The Attorney General shall approve the instrument of conveyance. The bill contains an emergency clause.

Signed by the Governor.

HS/HB 1155 — Relating to public housing authorities

Repeals sections 99.080, 99.090 and 99.100, RSMo 1969 and enacts in lieu thereof three new sections.

The provisions of this bill alter the current law governing public housing authorities by giving the authorities additional contractual power. Under this bill, an authority may contract with private owners to manage, lease and operate any rental, cooperative or condominium housing project within its area of operation and may charge a fee for such management services. Those persons occupying the housing project must meet low income criteria established in the bill. Profits derived from the management activity must be applied to the development or improvement of publicly owned housing projects and to other authorized activities of the authority.

When a municipal housing authority is within an unincorporated area of a first class county with a charter form of government (Jackson and St. Louis Counties), and that unincorporated area is bordered by a city or cities of the third class which may provide services to that authority, the city shall give its approval before construction, reconstruction, improvement, alteration or repair takes place.

HB 1156 — Relates to motor vehicle inspection fees

Repeals section 307.365, RSMo Supp. 1975 and enacts in lieu thereof one new section.

The bill increases the total fee charged by an official inspection station for each official inspection from \$3.50 to \$4.50. It further provides that the total fee for inspection of a trailer or motorcycle shall be \$3.50.

HB 1170 — Relating to the licensing and regulation of auctioneers

Repeals sections 150.380, 343.010, 343.020, 343.030, 343.070, 343.080, 343.090, 343.100, 343.110, 343.120, 343.130, 343.140, 343.150, 343.160, 343.170, 343.180, 343.190, 343.200, 343.210, 343.220, 343.230, 343.240 and 343.250, RSMo 1969 and enacts

in lieu thereof eight new sections.

Any person exercising the trade or business of a public auctioneer, selling goods, property or real estate must be licensed. Licenses are issued by the clerks of the county courts for varying periods and fees as follows:

One month	\$10.00
Three months	20.00
Six months	30.00
Twelve months	50.00

Such license shall be valid in any county of the state during the period for which it was issued. A \$2.00 fee for issuing a license will be paid to the clerk and deposited in the county general revenue fund.

Nonresident individuals may be granted a license upon payment of fees without regard to residency rule. Any person violating provisions of chapter 343 after January 1, 1979 shall be guilty of a class C misdemeanor and disqualified from business as an auctioneer for one year.

The definition of "itinerant vendor" is expanded to include anyone not having a permanent place of business in Missouri.

SCS/HB 1187 — Relating to an easement of state land to the City of Boonville

Repeals House Bill 1186 of the Second Regular Session of the Seventy-eighth General Assembly.

This act authorizes the Governor to grant easements to the City of Boonville, Missouri for the purpose of constructing, using, repairing, altering and maintaining a street or streets through land owned by the State of Missouri at the State Training School for Boys in Boonville. The consideration for the granting of the easement shall be one dollar plus other valuable consideration and the Attorney General shall approve the instrument of conveyance. The Director of the Division of Youth Services, with approval of the Director of the Department of Social Services, may negotiate with the City of Boonville for any assistance which may be rendered by the Training School in construction of the street.

HB 1189 — Relating to sales tax in certain towns

Repeals section 144.460, RSMo Supp. 1975.

Repeal of the above listed section, RSMo will permit towns with a population of less than five hundred inhabitants to levy a sales tax.

HB 1203 — Relating to special school districts

Repeals sections 162.725, 162.730, 162.735, 162.740, 162.815, 162.825, 162.840, 162.855, 162.920, RSMo Supp. 1975 and sections 162.695, 162.700, 162.705, 162.750 and 162.890, RSMo Supp. 1977 and enacts in lieu thereof fourteen new sections.

The bill allows special school districts to be established for the training of the handicapped, or vocational education, or for both purposes. Districts established solely to provide vocational education shall not be required to provide educational services or funds to special districts or to the Department of Elementary and Secondary Education for the education of the handicapped.

HB 1208 — Relating to election of directors and dissolution of nursing home districts

Repeals section 198.280, RSMo 1969 and section 198.360, RSMo 1975 and enacts in lieu thereof two new sections.

Upon the dissolution of a nursing home district, any tax money in the treasury will be distributed to the general revenue fund(s) of the county or counties in which the district is located. Currently the money is rebated to the original taxpayers on a pro rata basis. Each of the six directors of a district will be elected by the voters who live only within his election district.

HB 1218 — State Departments/State Treasurer

This bill creates in the state treasury the "General Revenue Fund" into which all moneys received by the state shall be deposited (unless otherwise provided by law). Also created in the state treasury is the "Federal Grant Program Fund." All funds obtained from the federal government as grants shall be deposited in this fund, except as otherwise provided by law. The bill stipulates that money shall not be withdrawn from this fund except by appropriation. The "State Institutions Gift Trust Fund" is created by the bill. All funds derived from gifts, bequests or donations to any state agency or state institution shall be deposited in the fund.

The bill stipulates that certain information shall be provided monthly to the Committee on Fiscal Affairs and the appropriations committees of the House and Senate by all state departments and government entities operating programs for which appropriations are made. This information includes expenditures by account number, federal fund expenditures by grant, notification of any status change of any federal grant and disposition of any employees employed under such grant. The bill specifies that when state funds are appropriated for purposes for which a federal grant is anticipated and the grant is not made, the appropriated funds may not be used for other purposes. Institutions of higher education must comply with only the reporting provisions discussed in this paragraph.

The legislation contains an emergency clause.

Signed by the Governor.

HB 1219 — State Treasurer

This bill creates the "Central Check Mailing Service Revolving Fund" in the state treasury. The State Treasurer, as custodian of the fund, shall receive funds paid or transferred to his office for centralized check mailing services rendered by him to state agencies. The fund will receive an annual appropriation and any unencumbered balance in excess of fifty thousand dollars at the end of a fiscal year shall revert to the General Revenue Fund.

Signed by the Governor.

HB 1242 — Relating to the taxation of savings and loan associations

Repeals sections 148.470, 148.510 and 148.530, RSMo 1969 and sections 148.480, 148.490, 148.500 and 148.520, RSMo Supp. 1975 and enacts in lieu thereof ten new sections.

This bill changes the method of taxing savings and loan associations. The new tax will be 8% of an association's net income which is defined as gross income minus "all ordinary and necessary expenses." Also, this bill has a three year phase-in period such that next year no association will pay more than currently and, in the second year the new base and rate will be

used and a surcharge of 50% of the difference between the old and new tax method added. In the third year, tax will be levied strictly on the new taxing method.

HB 1244 — Relates to a conveyance of property by the Department of Natural Resources

The Department of Natural Resources is authorized to give the title to the lands and buildings of Fort Zumwalt State Park to the City of O'Fallon, Missouri. The Director of the Department of Natural Resources is authorized to provide park maintenance for one year beyond the date of conveyance. If the city ceases to use the land for public park purposes, the title shall immediately revert to the Department of Natural Resources.

SS/SCS/HB 1260 — Relating to disability payments, salaries and exemptions under Workmen's Compensation

Repeals section 287.615, RSMo Supp. 1971, sections 287.030, 287.050, 287.070, 287.080, 287.090, 287.120, 287.141, 287.160, 287.170, 287.180, 287.190 and 287.200, RSMo Supp. 1975, section 287.240, RSMo Supp. 1976 and section 287.020, RSMo Supp. 1977 and enacts in lieu thereof thirteen new sections.

The bill establishes the employee numerical exemption at five or more for purposes of defining an employer under chapter 287, RSMo (Workmen's Compensation). Chapter 287 shall not apply to the employment of farm labor, domestic servants in a private home, including family chauffeurs, or occasional labor performed for and related to a private household.

Members of a family owning a family farm corporation as defined in section 350.010, RSMo are exempt from mandatory coverage. However, members and officers of a family farm corporation may be covered under a policy of workmen's compensation insurance if the board of directors of the family farm corporation approves the resolution.

The payment from the second injury fund of the state treasury is raised from \$21.00 to \$35.00 per week for a period of not longer than twenty weeks, except in unusual cases, while an injured employee is undergoing physical rehabilitation. If there is a disagreement over whether such physical rehabilitation is necessary and such treatment is judged necessary by the Director of the Division, a weekly payment of \$35.00 (formerly \$21.00) may be ordered.

Compensation for injury will be payable on the basis of sixty-six and two-thirds percent of the average earnings of the employee, but in no event shall compensation exceed \$115.00 per week (formerly \$95).

The temporary total disability compensation will be not more than \$115 (formerly \$95) per week for a period not to exceed four hundred weeks. The temporary partial disability compensation will continue for not more than one hundred weeks and will not be more than \$115 (formerly \$95) per week.

For permanent partial disability the employer shall pay 66 2/3 percent of the worker's average earnings, but not less than \$90 per week for the period set in the schedule of losses.

Compensation for permanent total disability shall be paid for the lifetime of the employee on the basis of 66 2/3 percent of average earnings of the employee, but shall not exceed \$115.00 (formerly \$95) per week.

The employer is also required to pay a death benefit on the basis of 66 2/3 percent of the employee's average weekly earnings in the year immediately preceding the injury, but in no case more than \$115 (formerly \$95) per week.

Claims before the Division of Workmen's Compensation may be dismissed for failure to prosecute in accordance with the rules and regulations of the commission.

The bill also includes provisions for all salary increases to clerical employees to be fixed by the division with the approval of the Industrial Commission. Other annual salaries are as follows:

	From Effective Date of This Act to 6/30/79	After 7/1/79
Legal Advisors	\$27,000	\$29,000
Administrative Law Judge in charge	33,200	35,000
Administrative Law Judge	32,000	33,800
Chief Counsel	30,000	32,000
		- beginning 6/30/79

HB 1262 — Relating to county boards of education

Repeals section 162.101, RSMo Supp. 1977 and enacts in lieu thereof one new section.

This bill changes the time of yearly meetings of school boards of the various school districts of each first class county from the second to the fourth Tuesday in April. The county board of education shall designate a secretary, who may or may not be a board member, and who shall take office on July 1 following appointment. The secretary will serve for one year unless reappointed.

HB 1275 — Relating to temporary permits for motor vehicles

Repeals sections 301.140 and 301.180, RSMo 1969 and enacts in lieu thereof two new sections.

The law authorizes the Director of Revenue to issue temporary permits to the purchaser of a trailer to allow the transport of the trailer from the place of purchase to the buyer's home.

The law also authorizes the Director of Revenue to issue temporary permits for not more than fifteen days to non-residents that purchase vehicles in this state.

HB 1302 — Relating to reporting of information regarding certain insurance policies.

This bill relates to the collection and analysis of data for policies of homeowners', dwelling owners', renters' and residential fire insurance. The bill stipulates that the Director of the Division of Insurance shall establish statistical bases for the annual reporting of premium and loss data. The bill also requires any changes made in town grading schedules, in connection with the above policies, to be filed with the Director of Insurance. The Director may set aside any such change that he finds is not supported by substantial evidence and data acquired under this act.

The bill requires authorized insurers of product liability insurance to report certain information to the Director of Insurance. The report must contain, among other things, the states in which the company has been admitted for product liability insurance and the total dollar amount collected each year in product liability premiums in Missouri and in all states beginning with the year 1978. In addition, each company shall report to the Director for the year next preceding the filing of each annual report, any claim or action for damages for personal injury, death or property damage due to an alleged defect in such insured's product, if the claim resulted in a final judgement in any amount, a settlement in any amount, or a final disposition not resulting in payment on behalf of the insured. These reports shall also contain additional detailed claim information as specified in the bill.

HB 1325 — Relating to the exemption of certain regulations of the Public Service Commission

Repeals section 390.030, RSMo Supp. 1975 and enacts in lieu thereof one new section.

The bill exempts motor vehicles while being used solely by a group of employees to commute to and from their place or places of employment (except that the motor vehicle must be driven by a member of the group) from the provisions relating to the regulation of motor carriers and express companies by the Public Service Commission.

HB 1375 — Relating to pay increases for certain public defenders and their assistants

Repeals section 600.030, RSMo Supp. 1975 and sections 600.035, 600.100, 600.125 and 600.160, RSMo Supp. 1976 and enacts in lieu thereof five new sections.

This bill provides pay raises for public defenders and their assistants. The new maximum salaries, with old maximums in parenthesis, are as follows:

St. Louis City	New Maximum	(Old Maximum)
Public Defender	\$29,500	(\$22,000)
Two Assistants	\$23,000	(\$20,000)
Four Assistants	\$18,500	(\$18,000)
All other Assistants	\$17,500	(\$16,000)

St. Louis and Jackson Counties		
Public Defender	\$29,500	(\$22,000)
Two Assistants	\$23,000	(\$17,000)
Three Assistants	\$18,500	(\$15,000)
All other Assistants	\$17,500	(\$14,000)

All other circuits with Public Defenders		
Public Defender	\$24,000	(\$17,500)
Three Assistants	\$10,000	(\$10,000)

OR (New Provision)

One Assistant at \$17,500
and
Two Assistants at \$10,000

HB 1378 — Relates to licensing requirements by the State Board of Cosmetology

Repeals section 329.080, RSMo 1969 and enacts in lieu thereof one new section.

The bill increases the training qualifications required for those seeking to be licensed as instructors of cosmetology. The State Board of Cosmetology may license instructor trainees who have passed a practical examination. Within six years trainees must complete a training course prescribed by the board and pass a second exam before being licensed as an instructor.

Signed by the Governor

HB 1447 — Relating to unfair and deceptive acts in the business of insurance

Repeals sections 375.930, 375.932, 375.934, 375.938, 375.940, 375.942, 375.946 and 375.948, RSMo 1969 and section 375.936, RSMo Supp. 1976 and enacts in lieu thereof eleven new sections.

The bill relates to regulation of trade practices in the business of insurance by defining those practices which constitute unfair methods of competition or deceptive practices. The bill includes in the definition of "person" all medical service plans and hospital service plans as defined in section 354.010. For purposes of this act, health services corporations are deemed to be engaged in the business of insurance. The bill includes and defines as unfair methods of competition and deceptive practices such things as misrepresentation and false advertising of insurance policies, using stock operations and advisory board contracts as an inducement to insurance, and unfair discrimination. In addition, the act lists those practices that constitute unfair claim settlement practices. These include, among other things, the following: failing to acknowledge and act promptly (considering all circumstances) upon written or oral communications relating to claims; refusing to pay claims without conducting a reasonable investigation; not attempting to effectuate prompt, fair and equitable settlement of claims in which the company's liability under a policy has become reasonably clear; delaying the investigation or payment of health and accident claims by requiring an insured, claimant, or the health care provider of either, to submit a preliminary claim report and then requiring the subsequent submission of formal proof of loss forms, both of which submissions contain substantially the same information; failing to promptly settle claims under one portion of the insurance policy coverage in order to influence settlements under other portions of the coverage; failing to promptly provide, in relation to the facts or law, a reasonable explanation, based on the insured policy for denial of a claim or for the offer of compromise settlement, failure to maintain complaint handling procedures. The bill delineates those activities practiced by life insurance companies that may not be considered or construed as discriminatory. It also places certain restrictions upon persons lending money and extending credit regarding certain practices and policies. The Director of Insurance is given additional responsibility in relation to the lending of money and activities related to insurance. The Director is given discretionary power, after a hearing, to revoke or suspend a person's license or certificate of authority. Penalties for noncompliance with this act are established.

HB 1492 — Relating to removal of eyes from eye donors

Repeals section 194.240, RSMo 1975 and enacts in lieu

thereof one new section.

The bill authorizes medical technicians acting under supervision to remove an eye or part thereof from an eye donor. Such technicians must be employed by a hospital, physician or eye bank and must have successfully completed a course in eye enucleation offered by the department of ophthalmology of a medical school.

HB 1503 — Relating to retirement systems for employees of certain school districts

Repeals section 169.320, RSMo 1969, section 169.350, RSMo Supp. 1975 and section 169.324, RSMo Supp. 1977 and enacts in lieu thereof three new sections.

The legislation deals with the teacher and school employee retirement system in districts of 400,000 to 700,000. The bill provides that on the effective date of this act, the minimum normal service retirement age for members under Plan B shall be sixty. Any member having 30 years of creditable service regardless of age may voluntarily retire. It further increases the amount deducted from the compensation of each Plan B member from 3% to 5%.

HCS/HB 1550 — Surplus Property/State Treasury

The bill establishes the "Missouri State Surplus Property Clearing Fund" into which all moneys received by the state from the sale of surplus property shall be deposited. When appropriated, the funds in this account shall be used to pay the costs of conducting surplus property sales. The state purchasing agent, who will administer the fund, shall distribute all funds received in excess of the costs of the sale to the fund which purchased the item sold.

Signed by the Governor

HB 1569 — Relating to a lease of lands by the Department of Natural Resources

The bill authorizes the Department of Natural Resources to grant a lease of lands located in the Lake of the Ozarks State Park to the City of Osage Beach for recreational purposes. The city would be allowed to construct recreational facilities on the land. The lease could be made for a period of not more than twenty-five years for the consideration of \$1 with the option of renewal for a like period and a like consideration fee.

HB 1599 — Relates to drainage and levee districts

The bill provides that those drainage and levee districts which are granted an extension of time of corporate existence prior to the effective date of this act, will be deemed to have fully complied with all the provision of law relating to such extensions. An emergency clause is included in the bill.

Signed by the Governor.

HB 1603 — Relates to the expenditures of appropriations as made by the General Assembly.

The provisions of this bill, which are entirely new, would prohibit department directors from transferring funds between

divisions within their department. The intent is to stop funds appropriated for one purpose from being used for other purposes.

Vetoed by the Governor.

SS/SCS/HB 1610 — Relating to conflicts of interest

Repeals sections 105.450, 105.480, 105.490 and 105.495, RSMo 1969 and enacts in lieu thereof fifteen new sections.

This is a major revision of the sections of Missouri law relating to the definition and regulation of conflicts of interest. The bill stipulates that no elected or appointed official or employee of the state or any subdivision thereof shall use information in certain ways. Further restrictions, regarding services that may not be performed within certain time limits, are made for employees serving in an executive or administrative capacity. The bill delineates services and transactions that may not be performed by members of the General Assembly, or by any elected state official. It defines conflicts of interest for members of legislative or governing bodies of subdivisions and for persons serving in judicial or quasi-judicial capacities.

Enforcement and prosecutions will be handled by the Attorney General for state wide elected officials, circuit attorneys and prosecuting attorneys. Violations by other officials and employees will be prosecuted by prosecuting attorneys. If a prosecuting attorney declines to prosecute within a reasonable time after a complaint by the attorney general, the attorney general may prosecute local officials. Violation of this act is a class D felony.

HB 1613 — Relates to acquisition of land by the United States

Repeals sections 12.030 and 12.040, RSMo 1969, and enacts in lieu thereof two new sections.

The bill relates to the consent of the State of Missouri, in accordance with the U.S. Constitution, to the acquisition of land by the United States and the jurisdiction in and over such lands. Alteration is made in the current law to give consent to all lands as sites for customhouses, courthouses, post offices and other needful buildings required for military purposes. The current law denotes consent for land acquired prior to the effective date of sections 12.030 and 12.040, RSMo 1969.

Signed by the Governor.

SCS/HB 1624 — Relating to rate of levy to be imposed by street light districts

Repeals section 235.170, RSMo 1969 and enacts in lieu thereof two new sections.

The maximum rate which may be imposed within a street light district is raised from ten to twenty cents on the one hundred dollars assessed valuation. Before the Board of Directors of any street light district may increase the tax levy, the proposed increase must be approved by a majority of the voters voting thereon. A proposition to increase the tax levy may be submitted by the Board of Directors or upon petition of five hundred registered voters of the district at the next election permitted by section 115.123, RSMo (the general election day, primary election day, municipal election day or another day expressly provided by city or county charter).

HB 1634 — Relates to the Judicial Article

Repeals and reenacts numerous sections of Missouri statutes.

This bill implements the new judicial article to the State Constitution which was adopted in 1976. It will take effect on January 2, 1979. The general concept is to establish a single trial court—the circuit court—with three categories of judges:

- (1) Circuit judges - present circuit judges, probate judges in counties over 65,000 population, and judges of the St. Louis Court of Criminal Corrections.
- (2) Associate circuit judges - present magistrates and probate judges in counties under 65,000 population.
- (3) Municipal judges - required in cities over 400,000 population, optional in others; these judges would hear only violations of municipal ordinances.

Associate circuit judges will hear certain cases without assignment and may hear any case upon assignment by the presiding judge. The presiding judge will be selected by the circuit and associate circuit judges in a circuit. Trials de novo from probate orders are abolished and appeals will be made directly to an appellate court. Procedures are established for determining when proceedings before the associate circuit judges will be on the record and when they will be more summary in nature. Numerous other changes are made in current statutes, mostly technical in nature, to carry out the intent of the Constitutional Amendment.

SS/HB 1642 - Relating to county sales tax

Repeals section 66.600, RSMo Supp. 1977 and enacts in lieu thereof one new section.

This bill provides that the city sales tax in any city (in this instance Pacific, Missouri) partly within a county having a countywide sales tax (St. Louis County) would be void in that part of the city which is within the taxing county on or after the effective date of the county sales tax. However, if the countywide sales tax is repealed the city sales tax would automatically become effective. The bill has an emergency clause and is in full force and effect upon passage and approval.

Signed by the Governor.

CCS/HB 1650 — Relating to governmental immunity

This bill establishes governmental immunity from lawsuits except for certain acts and certain limits. Basically, political subdivisions can be sued only for acts or omissions involving negligence as covered by the Missouri Supreme Court decision of September 12, 1977 which struck down sovereign immunity. The bill allows the state and political subdivisions to purchase liability insurance up to \$100,000 per individual and \$800,000 per incident. Liability is limited to the amounts and purposes covered by such insurance. CCS/HB 1650 further provides a procedure by which any three or more political subdivisions may form an association to provide liability insurance for member governmental bodies.

HB 1684 — Relating to subsidies for families with adopted children

Repeals section 453.073, RSMo 1975, and enacts in lieu thereof one new section.

The act permits the juvenile court to subsidize the family of an adopted child if the child were eligible for foster care payments under the homeless, dependent and neglected children program. Previously, subsidies could only be paid to families with adopted children who had received foster care payments.

HB 1691 — Relating to the establishment of a college of optometry at the University of Missouri-St. Louis

The Coordinating Board for Higher Education is authorized to enter into an agreement with other states for the establishment of a regional college of optometry at the University of Missouri-St. Louis. Operational costs, including amortization and supplemental capital expenses, must be borne equally by participating states on a per student basis. Capital costs must be met by 75% federal funding.

Appropriations from the General Assembly for operating and capital costs of the college shall not be expended to educate any student who is not a resident of Missouri at the time of his acceptance as a student.

HB 1694 — Elections

The bill repeals sections 115.353 and 115.507, RSMo Supp. 1977 and enacts in lieu thereof two new sections.

This legislation stipulates certain duties of election authorities by clarifying election authority in counties that have two boards of election commissioners (Jackson County). In these counties, the county clerk will be the election authority. As such, the clerk will receive declarations of candidacy, issue statements announcing the results of elections and mail or deliver to the Secretary of State the abstract of votes in his jurisdiction for each office and on each question.

The bill contains an emergency clause.

Signed by the Governor.

HB 1735 — Relating to the state financial assistance program for students

Repeals section 173.205, RSMo Supp. 1975 and enacts in lieu thereof one new section.

The bill relates to Missouri's financial assistance program for students. It includes public junior colleges (meeting standards established by the Coordinating Board for Higher Education for such junior colleges) under the definition of an approved public institution, thus allowing full time students of junior colleges to participate in the program.

HB 1738 — Relating to an easement on state land

The bill authorizes the Governor to grant an easement for a waterline through a portion of land at the Fulton State Hospital.

HB 1769 — Relating to revenue bonds for construction of nursing homes

Amends chapter 198, RSMo by adding thereto four new sections and chapter 205, RSMo by adding thereto three new

sections.

Nursing home districts, counties and townships are authorized to issue revenue bonds for the purpose of acquisition, construction, erection and furnishing nursing homes and related facilities. The principal and interest of the revenue bonds are payable only from net income arising from operation of the facilities or from funds derived from sources other than the proceeds of taxation.

HB 1785 — Relating to the establishment of private roads

Repeals section 228.340, RSMo 1969 and enacts in lieu thereof one new section.

The bill would revise the existing statute governing petitions for the establishment of a private road to connect with a public road. Such petitions must, in addition to requirements currently in the statutes, specify that the land to be connected by the private road is within this state.

HB 1816 — Relates to the control of diseased cattle

Repeals sections 267.170, 267.180, 267.190, 267.200, 267.210, 267.220, 267.230, 267.240, 267.250, 267.360, 267.370, 267.380, 267.390, 267.400, 267.410, 267.420, 267.430, 267.440 and 267.460, RSMo 1969 and enacts in lieu thereof nine new sections.

The act revises the laws regulating the testing and disposal of cattle which may be infected with tuberculosis. The powers of the State Veterinarian to test and to require the disposal of diseased cattle are delineated. The conditions under which owners could be indemnified for a part of their losses due to the disposal of diseased cattle are specified. The legislation contains an emergency clause and penalty provisions.

HB 1820 — Elections

Repeals section 115.607, RSMo Supp. 1977 and enacts in lieu thereof one new section.

The bill stipulates that, except as provided elsewhere in section 115.607, the membership of a county committee of each established political party shall consist of a man and a woman elected from each township or ward in the county. The bill contains a new provision stating that committeepersons in St. Louis County shall be elected from each township.

The legislation contains an emergency clause.

Signed by the Governor.

HCS/HB 1822 — Relates to certification of assessment ratios

The average percent of true value ratios determined by the State Tax Commission for 1977 and certified to the Department of Elementary and Secondary Education in 1978 would be disregarded. The Commission, before April 1, 1978, will submit the average true value ratios to be used in lieu thereof for 1977 in determining the equalized assessed valuation of the properties of school districts for distribution of school foundation formula funds. The bill contains an emergency clause.

Signed by the Governor.

HB 1823 — Relating to building commissions in certain counties

Repeals section 64.190, RSMo 1969 and enacts in lieu thereof one new section.

Any city now having or which may hereafter have a population of more than one hundred and twenty thousand inhabitants in a county of the first class is exempt from the county building commission codes of such counties as the codes pertain to electrical wiring or installation, construction, reconstruction, alteration or repair of any building or structure.

HB 1824 — Relating to employment security

Repeals section 288.040, RSMo Supp. 1977 and enacts in lieu thereof one new section.

This bill makes certain changes in Missouri unemployment benefits laws to deny such benefits to persons employed in an instructional, research or principal administrative capacity for an educational institution if such persons had reasonable assurance of returning to work in the next school year or term. These changes were necessary due to previous changes in the federal law.

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HOUSE JOINT RESOLUTIONS

HJR 67 — Relates to county tax levies for road and bridge purposes

This will, if approved by the voters, amend the Constitution to allow counties to levy an additional tax of up to fifteen cents per hundred dollars assessed valuation for road and bridge purposes. Before the additional tax, over the current limit of thirty-five cents, could be levied, it would have to be approved by a majority vote in the county. There is also a provision allowing the General Assembly to reduce any tax rates under this section of the Constitution.

HCS/HJR 87 — Relates to an actuary study of certain retirement benefits

This will, if approved by voters, amend the Constitution to require a statement of cost, prepared by a qualified actuary, for any substantial proposed change in retirement benefits for elected or appointed public officials. The statement would be available for public inspection and would be drawn under standards and requirements established by the General Assembly.

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TOPICAL INDEX

OF

Truly Agreed To and Finally Passed

SENATE BILLS, SENATE JOINT RESOLUTIONS, HOUSE BILLS AND HOUSE JOINT RESOLUTIONS

ADMINISTRATION, COMMISSIONER & OFFICE OF

HB 1038—Payment of fees of local registrars.

ADMINISTRATIVE HEARING COMMISSION

SB 661—Permits appeal of licensing, taxing and administrative rulemaking decisions to the Administrative Hearing Commission.

ADOPTION

HB 1684—Relating to subsidies for families with adopted children.

AGRICULTURE

SB 503—Relates to the fees collected under the Grain Warehouse Law.

SB 683—State inspection of apiaries.

SB 685—Prohibits foreigners from acquiring more than five acres of land for agricultural purposes.

SB 690—Exempts machinery used to apply agricultural chemicals from maximum size limits allowed on highways.

HB 895—Relating to regulation of agricultural cooperative associations.

HB 1816—Revision of laws concerning the disposition of cattle with tuberculosis.

AIRCRAFT & AIRPORTS

SB 581—Provides for extension of the Missouri - St. Louis Metropolitan Airport Authority until Dec. 31, 1980.

HB 1116 & 1117—Changes the amount of state aid available to cities and counties regarding airports.

APPROPRIATIONS

HB 1001—Public debt.

HB 1002—Elementary and Secondary Education.

HB 1003—Higher Education.

HB 1004—Department of Revenue.

HB 1005—Elected Officials and Office of Administration.

HB 1006—Judiciary.

HB 1007—Departments of Agriculture; Conservation; Consumer Affairs, Regulation & Licensing; Labor & Industrial Relations; and Natural Resources.

HB 1008—Departments of Highways; Public Safety; and Transportation.

HB 1009—Departments of Mental Health and Social Services.

HB 1010—General Assembly.

HB 1011—Capital Improvements, Maintenance.

HB 1012—Capital Improvements, New Structures.

HB 1013—Reappropriations.

HB 1014—Emergency & Supplemental, Fiscal 1978.

HB 1603—Prohibits department directors from transferring funds among divisions.

BLIND

SB 492—Relating to payments for eligible persons in nursing homes and boarding homes and other public assistance.

HB 881—Relating to blind pension benefits.

HB 1492—Relating to removal of eyes from eye donors.

BOARDS AND COMMISSIONS

SJR 31—Relates to certification of election returns.

HB 1378—Increases training qualifications for instructors of cosmetology.

CHILDREN & MINORS

SB 765—Relating to sudden infant death syndrome.

HB 914—Uniform Child Custody Jurisdiction Act.

HB 972—Termination of parental rights.

HB 1684—Relating to subsidies for families with adopted children.

CITIES & MUNICIPALITIES

SB 594—Third class cities — optional forms of government.

SB 700—Provides for Chief Investigator for Circuit Attorney of St. Louis City and increases compensation of certain employees of the St. Louis City Circuit Attorney.

HB 1121 & 1157—Relating to the compensation of certain local officials.

HB 1823—Electrical code in first class counties not to apply to certain cities.

CIVIL & CRIMINAL PROCEDURE

HB 972—Procedure for termination of parental rights.

CIVIL RIGHTS

HB 949 & 1266—Relating to the Missouri Human Rights Commission.

CONFLICT OF INTEREST

HB 1610—Revises regulatory laws for conflicts of interest.

CONSERVATION COMMISSION

SJR 35—Would allow legislature to require Conservation Commission to make payments in lieu of taxes to counties.

CONSTITUTIONAL AMENDMENTS

- SJR 31**—Relates to certification of election returns.
- SJR 35**—Allowing legislature to require Conservation Commission to make payments in lieu of taxes to counties.
- SJR 37**—Allowing General Assembly to require political subdivisions to reduce tax rates.
- HJR 67**—Relates to county tax levies for road and bridge purposes.
- HJR 87**—Relates to actuary studies for certain retirement benefits.

CORPORATIONS

- SB 761**—Relates to general and business corporation law of Missouri.
- SB 762**—Makes technical changes in the law pertaining to professional corporations.
- SB 820**—Missouri Take-Over Bid Disclosure Act.
- HB 882**—Relating to definitions under the open governmental meetings law.

COUNTIES

- SB 775**—Increases compensation of officials in first class counties.
- SJR 35**—Allowing legislature to require Conservation Commission to make payments to counties in lieu of taxes.
- HB 1036**—Relating to nursing homes acquired or erected by counties or townships.
- HB 1043**—Allows voters to repeal Sunday Sales Law in Cass and Buchanan Counties.
- HB 1121 & 1257**—Relating to the compensation of certain local officials.
- HB 1769**—Relating to revenue bonds for construction of nursing homes.
- HB 1822**—Relating to certification of assessment ratios.
- HB 1823**—Electrical code in first class counties not to apply to certain cities.
- HJR 67**—Relates to county tax levies for road and bridge purposes.

COUNTIES — ASSESSORS

- SB 779**—Provides additional compensation for extra duties in all counties except those of the first class.

COUNTIES — PROSECUTING ATTORNEY

- SB 769**—Increases compensation of certain second class counties' prosecuting attorneys.

COUNTIES — SHERIFFS

- SB 752**—Increases compensation of sheriffs in certain counties.
- SB 792**—Relates to payment of sheriff's cost when extradition is waived.
- HB 880**—Establishes a training program for newly elected sheriffs and sheriffs-elect.

COURTS

- HB 914**—Uniform Child Custody Jurisdiction Act.
- HB 1634**—Establishes a unified state court system and abolishes Magistrate Courts.

COURTS — APPEALS

- SB 506**—Increases number of judges on Kansas City Court of Appeals.
- SB 729**—Increases number of judges on Springfield Court of Appeals.

COURTS — CIRCUIT

- SB 632**—Increases to 19 the number of judges and divisions in 21st judicial circuit (St. Louis County).
- SB 848**—Abolishes office of magistrate clerk in Greene County and delegates duties to circuit clerk.

COURTS — PROBATE

- SB 950**—Increases compensation for probate judges in certain 2nd class counties.

CREDIT UNIONS

- HB 896 & 897**—Establishes procedures for unclaimed deposits in credit unions to escheat to the state.

DEATH

- SB 765**—Relating to sudden infant death syndrome.

DENTISTS

- SB 625**—Relating to advertising by dentists and dental hygienists.

DRUGS

- HB 933**—Relating to dispensing of generic drug products.

EASEMENTS & CONVEYANCES

- SB 851**—Relating to conveyance of state property in Greene County.
- SB 873**—Sale of state property in Kansas City.
- SB 893**—Easement grant to the Missouri Edison Co.
- SB 956**—Authorizes conveyance of certain property by quitclaim deed.
- HB 1154**—Land conveyance to Southeast Missouri Cerebral Palsy Affiliate.
- HB 1187**—Authorizes the Governor to grant easements to city of Boonville, Missouri.
- HB 1244**—Land transfer to the city of O'Fallon.
- HB 1738**—Easement for a water line at Fulton State Hospital.

ELECTIONS

- SB 582**—Relates to absentee voting procedures, election authorities and write-in vote tallying.
- SB 727**—Provides for a preference election in the Meramec basin on the construction of the Meramec Dam.
- SB 774**—Relates to voting machines and the counting of votes.

- SB 839**—Campaign contributions and expenditures reporting act.
- SJR 31**—Relates to certification of election returns.
- HB 971**—Makes numerous changes in the comprehensive election law of 1977.
- HB 1043**—Allows voters to vote to repeal Sunday Sales Law in Cass and Buchanan Counties.
- HB 1694**—Provides that the county clerk shall be the election authority in Jackson County.
- HB 1820**—Provides that county committee persons shall be elected from each township or ward.

ELEMENTARY & SECONDARY EDUCATION

- SB 906**—Relating to the Public School Retirement System of Missouri.
- SB 954**—State aid to schools — inclement weather.
- HB 969**—Public school pupil transportation — less than one mile.
- HB 1203**—Special school districts for handicapped and/or vocational training.
- HB 1262**—First class county Boards of Education — change in meetings.
- HB 1503**—Changes in the public school employees retirement system (Kansas City).
- HB 1822**—Relating to certification of assessment ratios.

EMPLOYEES — EMPLOYERS

- SB 497**—Relating to insurance benefits for certain employees, officials and judges of the state.

EMPLOYMENT SECURITY

- HB 1824**—Relating to employment security for certain employees of educational institutions.

FAMILY SERVICES, DIVISION OF

- SB 492**—Relating to payments for eligible persons in nursing and boarding homes and other public assistance.
- SB 505**—Relating to outpatient hospital medicaid benefits.
- SB 596**—Relating to property value allowable to recipients of public assistance.
- SB 671**—Medical assistance benefits provided for the services of podiatrists.
- HB 881**—Relating to blind pension benefits.

FEES & SALARIES

- SB 622**—Increases compensation of deputies of jury commissioners in St. Louis City.
- SB 623**—Increases compensation for jury commissioners in Jackson County and St. Louis City.
- SB 700**—Provides for Chief Investigator for Circuit Attorney of St. Louis City and increases compensation of certain employees of the St. Louis City Circuit Attorney.
- SB 752**—Increases compensation for sheriffs in certain counties.
- SB 763**—Increased salaries for Highway Patrol.
- SB 775**—Increases compensation of officials in first class counties.

- SB 779**—Provides added compensation for officials in counties except those of the first class.
- SB 792**—Relates to payment of sheriff's cost when extradition is waived.
- SB 950**—Increases compensation for probate judges in certain 2nd class counties.
- HB 1052**—Increases fees collected by prosecuting attorneys.
- HB 1121 & 1257**—Relating to the compensation of certain local officials.
- HB 1375**—Increases compensation for public defenders and their assistants.

FINANCE, DIVISION OF

- HB 1057**—Relating to appeals from decisions of the Commissioner of Finance and to hearings of the State Banking Board.

FINANCIAL INSTITUTIONS

- SB 657**—Relates to membership in development finance corporations.
- SB 794**—Allows banks to make loans at secondary facilities.
- SB 795**—Changes date on which savings and loan associations must publish financial statements.
- HB 896 & 897**—Establishes procedures for unclaimed deposits in financial institutions to escheat to the state.
- HB 1057**—Relating to appeals by banks and trust companies from decisions of the Commissioner of Finance and to hearings of the State Banking Board.
- HB 1242**—Changes the base and rate of savings and loan tax.

FIRE PROTECTION DISTRICTS

- SB 628**—Relating to the establishment of a fire protection district in one or more counties.
- HB 1115**—Changes the fiscal year of fire protection districts to match calendar year.

GENERAL ASSEMBLY

- SB 823**—Relating to fiscal notes and legislation introduced.
- HB 939 & 1350**—Relating to powers of Joint Committee on Administrative Rules and Regulations.

HANDICAPPED PERSONS

- SB 492**—Relating to health care payments for eligible persons in nursing homes and boarding homes and other public assistance.
- SB 652**—Relating to community mental health centers.
- HB 884**—Relating to financial aid for the education of students in certain health professions.
- HB 1203**—Special school districts for handicapped and/or vocational training.
- HB 1492**—Relating to removal of eyes from eye donors.
- HB 1691**—Relating to the establishment of a college of optometry at the University of Missouri - St. Louis.

HIGHER EDUCATION

- SB 703**—Harris-Stowe College to become state-funded with own Board of Regents.

HB 884—*Relating to financial aid for the education of students in certain health professions.*

HB 891—*Missouri Guaranteed Student Loan Program.*

HB 1691—*Relating to the establishment of a college of optometry at the University of Missouri - St. Louis.*

HB 1735—*Financial aid for junior college students.*

HIGHWAY PATROL

SB 763—*Increased salaries for Highway Patrol.*

SB 772—*Increases personnel of Highway Patrol.*

HB 1048—*Highway Patrol uniform allowance.*

HOSPITALS

SB 505—*Relating to outpatient hospital medicaid benefits.*

SB 653—*Relating to qualifications and responsibilities of administrators in the Department of Mental Health.*

HOUSING DEVELOPMENT

HB 1155—*Gives public housing authorities additional contractual power.*

INSURANCE

SB 497—*Relating to insurance benefits for certain employees, officials and judges of the state.*

HB 1302—*Reporting bill for premium and claim information. Also product liability reporting.*

HB 1447—*Unfair Insurance Trade Practices Act.*

HB 1650—*Permits political subdivisions to form associations to provide liability insurance.*

JUDGES & COMMISSIONERS

SB 632—*Increases to 19 the number of judges and divisions in the 21st judicial circuit (St. Louis County).*

SB 950—*Increases compensation for probate judges in certain 2nd class counties.*

HB 1634—*Establishes a unified state court system and abolishes Magistrate Courts.*

JURIES

SB 622—*Increases compensation of deputies of jury commissioners in St. Louis City.*

SB 623—*Increases compensation for jury commissioners in Jackson County and St. Louis City.*

LAND ACQUISITION & JURISDICTION

HB 1613—*Relating to the acquisition and jurisdiction of Missouri land by the U.S. government.*

LICENSES

SB 547—*Increases license fees for real estate brokers and salesmen.*

SB 811—*Revises training procedures for real estate brokers and salesmen.*

HB 978—*Relates to temporary liquor permits for caterers.*

HB 1170—*Relating to regulating and licensing of auctioneers.*

LIQUOR & BEER

HB 978—*Relates to temporary liquor permits for caterers.*

MENTAL HEALTH

SB 651—*Rights of mental patients, procedure for commitment.*

SB 652—*Relating to community mental health centers.*

SB 653—*Relating to qualifications and responsibilities of administrators in the Department of Mental Health.*

MINING

HB 934—*Establishes strip mining reclamation standards.*

MORTGAGES & DEEDS

SB 665—*Relates to statutes of limitation of foreclosure of mortgages and deeds of trust.*

MOTOR VEHICLES

HB 1156—*Increases motor vehicle inspection fee.*

HB 1275—*Authorizes the Department of Revenue to issue temporary permits to non-residents.*

HB 1325—*Exempts motor vehicles used for car pools from PSC regulation.*

NATURAL RESOURCES, DEPARTMENT OF

SB 509—*Authorizes state supervision of public drinking water supplies.*

HB 1569—*Land lease to city of Osage Beach.*

NURSING & BOARDING HOMES

SB 492—*Relating to payments for eligible persons in nursing homes and boarding homes and other public assistance.*

HB 1036—*Relating to nursing homes acquired or erected by counties or townships.*

HB 1208—*Relating to election of directors and dissolution of nursing home districts.*

HB 1769—*Relating to revenue bonds for construction of nursing homes.*

OPTOMETRY

HB 1691—*Relating to the establishment of a college of optometry at the University of Missouri - St. Louis.*

PHARMACY

HB 933—*Relating to dispensing of generic drug products.*

PHYSICIANS

SB 624—*Relating to advertising by physicians.*

HB 884—*Relating to financial aid for the education of students in certain health professions.*

PODIATRY

SB 671—*Medical assistance benefits provided for the services of podiatrists.*

POLICE

SB 508—*Increases employment benefits and compensation of police officers in St. Louis and Kansas City.*

HB 879 & 899—Establishes minimum training for peace officers.

POLITICAL SUBDIVISIONS

SJR 37—Allows General Assembly to require political subdivisions to reduce tax rates.

HB 1208—Relating to election of directors and dissolution of nursing home districts.

HB 1650—Establishing conditions for, and limits to, governmental liability for tortious conduct.

PRODUCT LIABILITY

HB 1302—Insurance claim and premium reporting act. Requires reporting of certain information regarding product liability insurance.

PROPERTY, REAL & PERSONAL

SB 596—Relating to property value allowable to recipients of public assistance.

PROPERTY TAX

SJR 37—Allows General Assembly to require political subdivisions to reduce tax rates.

PUBLIC DEFENDER

HB 1375—Increases compensation for public defenders and their assistants.

PUBLIC SAFETY, DEPARTMENT OF

HB 879 & 899—Minimum training for peace officers.

PUBLIC SERVICE COMMISSION

SB 691—Exempts vehicles transporting raw cotton products from Public Service Commission regulation.

HB 1325—Exempts motor vehicles used for car pools from PSC regulation.

RECORDS, CLOSED OR OPEN

HB 882—Relating to definitions under the open governmental meetings law.

RETIREMENT

SB 497—Relating to insurance benefits for certain employees, officials and judges of the state.

SB 542—Relating to retirement benefits in school districts with populations over 700,000 (St. Louis City).

SB 906—Relating to the Public School Retirement System of Missouri.

HB 1503—Relating to public school employee retirement (Kansas City).

HJR 87—Relates to actuary studies for certain retirement benefits.

REVISION BILLS

SB 738—Corrects CCS/HB 1362, 2nd Session, 78th General Assembly.

SB 739—Corrects HB 1393, 2nd Session, 78th General Assembly.

SB 742—Corrects SB 159, 1st Session, 79th General Assembly.

SB 743—Corrects HCS/HB's 38, 219 & 244, 1st Session, 79th General Assembly.

SB 744—Corrects SB 245, 1st Session, 79th General Assembly.

SB 745—Corrects HB 48, 1st Session, 79th General Assembly.

SB 746—Corrects HB 48, 1st Session, 79th General Assembly.

SB 748—Corrects HB 665, 1st Session, 79th General Assembly.

SB 749—Corrects HB 341, 1st Session, 79th General Assembly.

ROADS & HIGHWAYS

HB 1785—Relating to the establishment of private roads.

HJR 67—Relates to county tax levies for road and bridge purposes.

SALES TAX

SB 490—Allows for city sales tax of 7/8% and establishes new collection brackets.

SB 961—Prohibits sales and franchise taxes from being collected on electric utility surcharges.

HB 893—Relating to exemptions from the sales tax.

HB 1189—Relates to sales tax in towns of 500 inhabitants or less.

HB 1692—Relating to sales tax exemption for Pacific, Missouri.

SECRETARY OF STATE

SB 755—Revises fees paid to Secretary for services rendered.

SECURITIES

HB 895—Relating to regulation of agricultural cooperative associations.

SOVEREIGN IMMUNITY

HB 1650—Establishing conditions for, and limits to, governmental liability for tortious conduct.

STATE DEPARTMENTS

SB 721—Requires that state agencies estimate the costs imposed by new regulations.

STATE TREASURY

HB 1218—Creates three new funds in the state treasury and makes certain reporting requirements for state departments.

HB 1219—Creates the Central Check Mailing Service Revolving Fund.

HB 1550—Creates the Missouri State Surplus Property Clearing Fund.

TAXATION & REVENUE

SB 814—Relating to refunds of special fuel taxes.

HB 1624—Increases tax levy in streetlight districts.

UNIFORM LAWS

HB 914—Uniform Child Custody Jurisdiction Act.

UTILITIES

HB 1126—*Permits municipal utilities to form power commissions.*

WATER RESOURCES, CONSERVANCY, & POLLUTION

SB 499—*Authorization for the issuance of water pollution control bonds.*

SB 509—*Relating to state supervision of public drinking water supplies.*

HB 1599—*Authorizes time extension for certain drainage and levee districts.*

WORKMEN'S COMPENSATION

HB 1260—*Relating to disability benefits, exemptions and salaries for certain employees.*